

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

)	
THE HIPSAVER COMPANY, INC.,)	
Plaintiff / Counterclaim Defendant,)	
)	
v)	Civil Action No. 05-10917 PBS
)	
J.T. POSEY COMPANY,)	
Defendant / Counterclaim Plaintiff.)	
)	
)	

HIPSAVER'S REPLY TO POSEY'S FURTHER SUBMISSION FOR CLARIFICATION REGARDING PUBLICATION OF ITS PROMOTIONAL MATERIALS

In response to the court’s request for clarification concerning the Posey Garwood advertisements at issue in this lawsuit, Posey submitted a chart listing all Posey advertisements referencing tests conducted at Garwood Laboratories from 2001 through 2005. [D.N. 216]. With this Reply, HipSaver submits the *complete* list of Garwood advertisements, including additional advertisements not identified in Posey’s Submission. *See Exhibit A.*

In HipSaver's Exhibit A, the chart identifies each document number and the date marked on each Garwood advertisement distributed by Posey from 2001 through 2005. This date can be found in small print in virtually every advertisement and appears to be the only concrete evidence of publication or distribution that is available for these advertisements. These dates are circled for the court's convenience in the attached **Exhibits 1-31.**

With reference to a previously submitted declaration by Victoria Lewis, Posey now claims that three advertisements were distributed during the Posey I litigation and

through the effective date of the Posey I Settlement Agreement in mid September 2004. As noted in the chart below, the dates published on the advertisements suggest that these advertisements were published and distributed *before* the start of the 2004 litigation and predate the September 22, 2004, Settlement Agreement.

Exhibit No.	Bates No.	Date Printed on the Advertisement
Exh. 508	PC5935-5938	9/26/03
Exh. 513	PC0406-PC0407	06/2003
Exh. 518	PC 5699	2001

Given that the dates printed on these advertisements predate the 2004 litigation and Settlement Agreement, Ms. Lewis' testimony to the contrary raises a genuine issue of material fact as to the distribution dates of these materials.

Ms. Lewis' declaration cannot credibly support Posey's claims of continuous distribution because Ms. Lewis does not have adequate personal knowledge to testify regarding the sales, advertising or marketing of the Hipster product. Ms. Lewis is a product manager and does not have any responsibilities relating to the logistics of publication or distribution of Posey advertisements. In fact, through the 2004 settlement, John Frymark was Posey's Vice President of Marketing. And in a declaration submitted to this court in July 2004 for the Posey I lawsuit, Mr. Frymark stated that he – not Ms. Lewis – was responsible for “developing and executing marketing plans and goals and planning and overseeing advertising and promotional activities.” See **Exhibit B**, Frymark Declaration at ¶2. Clearly, Mr. Frymark is the person who would have had direct knowledge of what was distributed and when during Posey I; yet he has not submitted a declaration in this case.

At deposition, Ms. Lewis testified that she does not have any knowledge pertaining to mailings to Posey customers:

Q: Does your company give the institution any information?

A: We give them our catalog with the product information in it

Q: Do you give them any other information?

A: I don't know. I don't sell. I'm not on the sales team. I don't know.

Exhibit C, Deposition of Victoria Lewis, December 15, 2006, p. 24-25. This testimony applies equally to Ms. Lewis' knowledge of advertising mailers because the laundering instructions was often coupled with a Garwood advertisement and mailed together.

HipSaver does not argue that Ms. Lewis 'knows nothing about advertising'; rather, HipSaver simply argues that Ms. Lewis, who is a product manager but who is not involved in marketing, sales, or advertising, does not know *enough* to credibly offer a fact based declaration relating to advertisement distribution. The sum and substance of her knowledge is derived from some manner of review of "documents that Posey used in connection with that marketing and, most importantly, upon a review of the business records Posey keeps in connection with its advertising of Hipster products". Posey's Further Submission, [D.N. 216] at 11. No showing has been made that Ms. Lewis, who doesn't know, doesn't sell, and is not on the sales team, is somehow qualified to interpret business related to advertising when she has no role in sales, advertising, or marketing. Moreover, despite Ms. Lewis' questionable testimony based on these records, Posey has never produced the "business records" to HipSaver – or to the court for its independent evaluation. As such, Posey continues to demand acceptance of its claim to continuous advertising during Posey I because it says so. That cannot carry its burden.

Without actual evidence of the dates of distribution of the advertisements, there remains (at the very least) a genuine issue of material fact as to whether the Garwood ads were distributed during the Posey I litigation and up through the effective date of the Posey I Settlement Agreement in mid September 2004. In sum, Posey's Submission does nothing to resolve this issue; and HipSaver maintains that the Garwood ads had been abandoned during the Posey I litigation. Furthermore, of course, Posey's Submission does not resolve ambiguities in the Posey I Settlement Agreement. There remains an ambiguity as to whether the Settlement Agreement covers any advertising unrelated to the UCLA advertisements challenged in Posey I, whether or not there was abandonment during the Posey I litigation. At the very least, however, it is clear that the Settlement Agreement was not prospective and did not release Posey from liability for its revival of its false Garwood ads *after* September 22, 2004. *See* ¶ 11 in the Posey I Settlement Agreement which is expressly limited to claims "which were asserted or could be asserted *prior to the date* of this Agreement". [emphasis added].

CONCLUSION

Posey's latest Submission does not resolve the issue of its abandonment of the Garwood ads during the first lawsuit, and it does not resolve ambiguities in the Posey I Settlement Agreement. Material issues of fact remain, as pointed out in HipSaver's earlier Memorandums. HipSaver's Opposition to Defendant J.T. Posey Company's Motion for Summary Judgment on Plaintiff's Complaint [D.N. 179]; HipSaver's Reply in Further Support of Its Motion for Partial Summary Judgment on the Complaint and in Further Opposition to Posey's Cross Motion on the Complaint. [D.N. 198]. These matters

should be resolved properly by a jury. *Nadherny v. Roselana Property Co., Inc.*, 390 F.3d 44 (1st Cir. 2004).

Respectfully submitted
The HipSaver Company, Inc.
By its Attorneys,

/s/ Courtney M. Quish
Lee Carl Bromberg, BBO No.: 058480
Edward J. Dailey, BBO No.: 112220
Courtney M. Quish, BBO No.: 662288
BROMBERG SUNSTEIN, LLP
125 Summer Street - 11th floor
Boston, Massachusetts 02110-1618
617.443.9292
617.443.0004 Fax
cquish@bromsun.com
March 5, 2007

CERTIFICATE OF SERVICE

I certify that this document has been filed through the Electronic Case Filing System of the United States District Court for the District of Massachusetts and will be served electronically by the court to the Registered Participants identified in the Notice of Electronic filing.

/s/ Courtney M. Quish
Courtney M. Quish

02820/00502 629110.1

EXHIBIT A

EXHIBIT A**Posey Advertisements distributed between 2001 and 2005 that reference tests conducted by Garwood Laboratories**

EXHIBIT NO.	DATE OF CIRCULATION ESTIMATED BY POSEY	ADVERTISEMENTS CONTAINING GARWOOD REFERENCES as listed by Posey	ADDITIONAL ADVERTISEMENTS CONTAINING REFERENCES TO GARWOOD	DATE (as marked on each advertisement)
1 2 3	2001	PC1025-PC1026 PC852 PC0853 Screenshot from Hipsters III		Date not legible 7/26/01 7/27/01 2001
4 5	2001-2002	PC3006-PC3007 PC1029-PC1030		11/02/01 2002 Catalog
6 7 8 9	2002		PC3002-3005 PC408-409 PC1073-PC1076 PC1031-PC1032	11/06/02 12/13/02 12/13/02 2002 Catalog
10 11 12 13	2002-2003	PC3008-PC3009 PC0410 PC1806-PC1809 PC1033-PC1035		04/23/02 09/17/02 12/13/02 2003 Catalog
14	2003		PC 3000	2/11/03
15 16	2003-2004	PC0406-0407 (HS2 0818-19) PC1810-PC1813		06/2003 09/26/03

EXHIBIT A**Posey Advertisements distributed between 2001 and 2005 that reference tests conducted by Garwood Laboratories**

EXHIBIT NO.	DATE OF CIRCULATION ESTIMATED BY POSEY	ADVERTISEMENTS CONTAINING GARWOOD REFERENCES as listed by Posey	ADDITIONAL ADVERTISEMENTS CONTAINING REFERENCES TO GARWOOD	DATE (as marked on each advertisement)
17	2004		PC1065-1066 (contains Garwood graph but does not contain Garwood text)	Mock-up dated 09/28/04
18			PC1077-1080 (contains Garwood graph but does not contain Garwood text)	10/27/04
19			PC5724-5727 (contains Garwood graph but does not contain Garwood text)	10/27/04
20			HS2 063	No date available
21	2004-2005	PC1071-1072		09/28/04
22		PC1739-1742		10/27/04
23	2005	PC1743-1746	PC1081-1084 PC1804-1805	01/03/05
24				01/03/05
25				01/03/05
26		PC0402-0403		04/28/06
27		PC0404-PC0405		01/24/05
28		HS2 0058-59		01/24/05
29		PC1051-1052		Date not legible
30		PC1093-1096		Mock-up dated 9/2/05
31		PC400-401		No date available

EXHIBIT 1

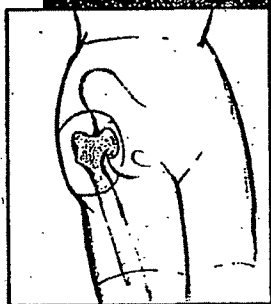
NEW!

Posey® Hipsters

A better way to protect your patients



#6016 Standard Unisex Brief



#6017 Incontinent Brief



Posey Hipsters can be worn discreetly under clothing.

- Soft foam pads help minimize potential damage that can occur from a fall.
- Low profile, 1/2" thick pads allow the Hipster to be virtually undetectable under clothing.
- Discreet low-profile pads with soft foam help improve patient compliance.
- **NO ASSEMBLY REQUIRED** – Completely launderable according to CDC standards for soiled linen **WITHOUT** removing the pads.
- 100% Latex Free
- Incontinent brief features a snap front for easier application over adult diapers. May also be worn as a male fly model.
- Available in five sizes to ensure proper fit.

Sizing Chart

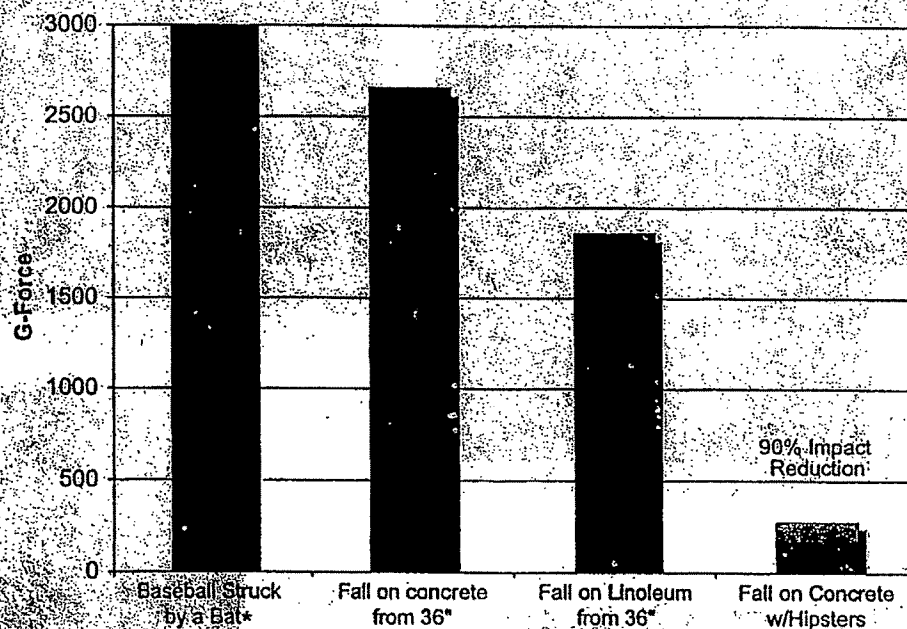
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

See reverse

PC 1025

Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120lb subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force by 90% and showed excellent impact energy absorption.



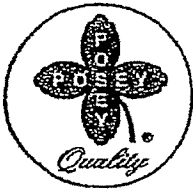
Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company.
 *Source: www.madsci.org

POSEY CA
Care Alternatives Division

For more information or to place an order, contact your
 Posey District Manager or call 1-800-44-POSEY

PC 1026

EXHIBIT 2



Posey Company

5635 Peck Road
Arcadia, CA 91006-0020 USA
Web: www.posey.com

Victoria Walters
Product Manager
Tel: (626) 443-3143 Ext. 181
Fax: (626) 443-5064
Email: vwalters@posey.com

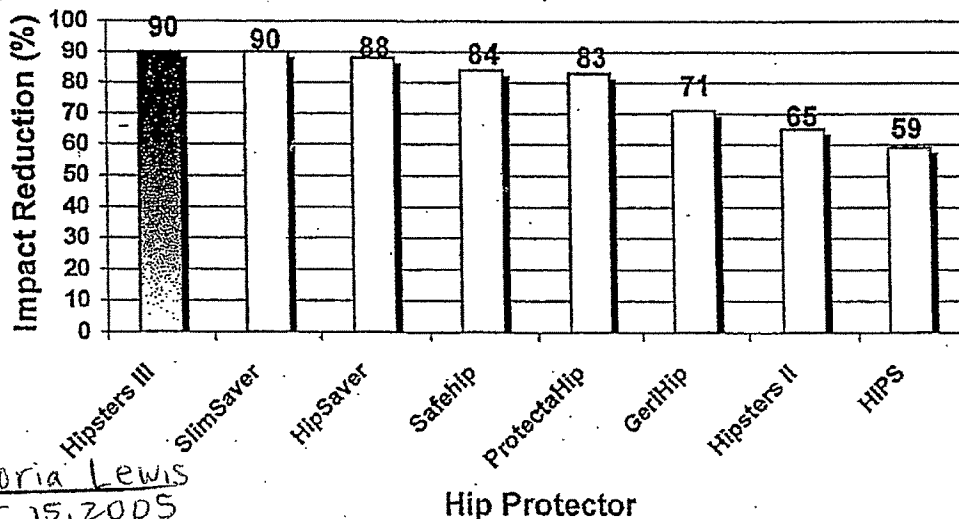
Posey Impact Test Results

July 26, 2001

The graph below depicts the level of impact reduction from different commercially available hip protector products sold in the US when tested according to the following protocol.

1. Tests were conducted using a guided drop tower
 - missile weight = 72.5lbs
 - contact surface = 6 inches in diameter
 - drop height – 28.5 inches
1. Three drops per specimen
2. Three-minute recovery time between drops
3. All measurements were recorded in G-Force
4. A baseline of 2,660G was used to measure impact absorption. We estimate that 2,660G's is the approximate impact force to the area of the greater trochanter for a 120lb person falling from a height of 36".

Hip Protector Impact Reduction Rate Comparison



Deposition of Victoria Lewis
Date December 15, 2005
Plaintiff's Exhibit 90
For Identification
Denise Herft, CSR 12982

Manufacturers and worldwide distributors of quality healthcare products since 1937

CONFIDENTIAL
ATTY'S EYES ONLY

PC 0852

EXHIBIT 3

Lee Rash

From: Jeffrey Yates
Sent: Friday, July 27, 2001 5:10 PM
To: 'Robert.Weaver2@med.va.gov'; Gary Platzman
Cc: Dorene.Opava-Rutter@med.va.gov; Vicky Walters; Ernie Posey; 'jim.mcfall@med.va.gov'
Subject: Impact Data regarding Posey Hipsters



HipsterIII VA.doc

Greetings,

Thank you for your message Bob.

Attached to this email is an outline of the impact tests that were recently completed on the New Posey Hipster III product. The New Posey Hipster III absorbs 90% of the impact force of a fall (27% better performance than the current Hipster product).

Manufacturing will begin in a few weeks and I expect we will be in-stock and ready to ship near the end of August.

Vicky and I would like to meet with you early next week to review this study, present the falls research papers we have collected and most importantly, discuss the correlation of the data from the 1994 and 1999 Finnish and studies to the laboratory tests completed on our product this week through an independent testing facility.

If you are in agreement with the test results, Vicky and I would like to work with you on test protocols for a clinical trial on this product and any other products of interest. As Gary and I mentioned during our visit, Posey will provide a reasonable quantity of the Hipster III for clinical trials at NO COST. This is how confident we are that the new Posey Hipster III is the best energy absorbing external hip protector on the market.

I left voicemails for Dr. Rutter and Bob Weaver today (7/27) and will follow-up with another call on Monday to confirm receipt of this email.

I hope you have/had a great weekend.

Jeffrey Yates
Director of Marketing
J.T. Posey Company
5635 Peck Road
Arcadia, CA 91006
(626) 443-3143 x102
(626) 443-5064 - Fax
jyates@posey.com

-----Original Message-----

From: Robert.Weaver2@med.va.gov [mailto:Robert.Weaver2@med.va.gov]
Sent: Thursday, July 26, 2001 8:05 AM
To: Gary Platzman; Jeffrey Yates
Cc: Dorene.Opava-Rutter@med.va.gov
Subject: VA Hip protectors

**CONFIDENTIAL
ATTY'S EYES ONLY**

Good morning,
I wanted to keep you both updated on our progress here at the falls clinic in WLA. The executive manager of prosthetics, James McFall, cleared the

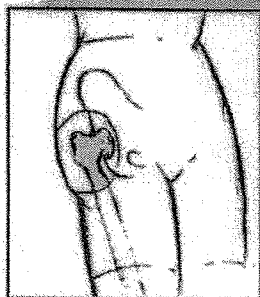
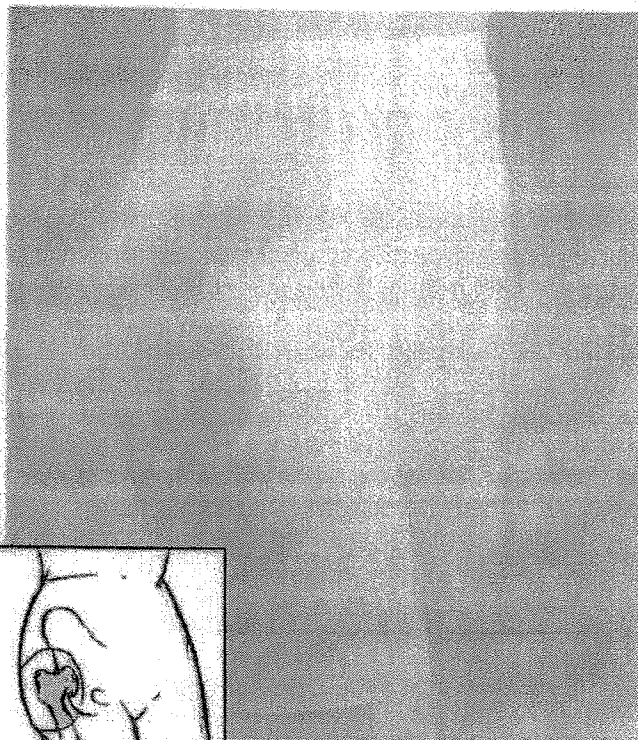
PC 0853

EXHIBIT 4



Posey® Hipsters

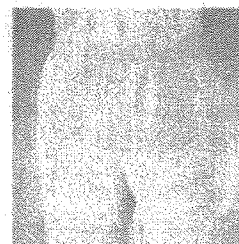
A better way to protect your patients



#6016 Standard Unisex Brief



#6017 Incontinent Brief



Posey Hipsters can be worn discreetly under clothing.

- Soft foam pads help minimize potential damage that can occur from a fall.
- Low profile, 1/2" thick pads allow the Hipster to be virtually undetectable under clothing.
- Discreet low-profile pads with soft foam help improve patient compliance.
- **NO ASSEMBLY REQUIRED** – Completely launderable according to CDC standards for soiled linen **WITHOUT** removing the pads.
- 100% Latex Free
- Incontinent brief features a snap front for easier application over adult diapers. May also be worn as a male fly model.
- Available in five sizes to ensure proper fit.

Sizing Chart		
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

POSEY *CA*

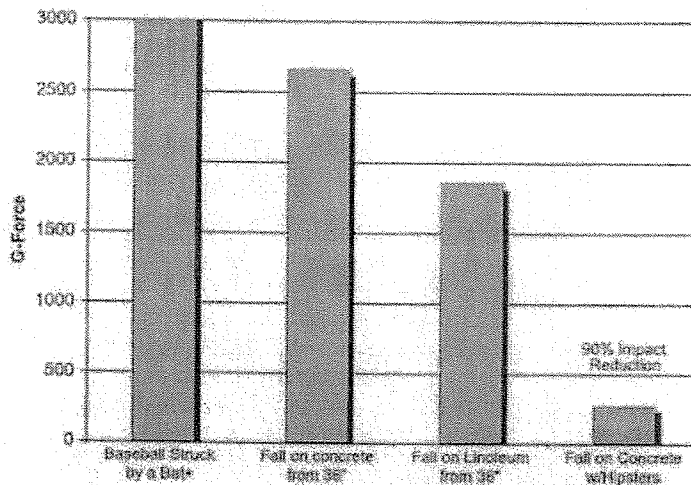
Care Alternatives Division

For more information or to place an order, contact your
Posey District Manager or call 1-800-44-POSEY

PC 3006

Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120lb subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force by 90% and showed excellent impact energy absorption.



Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company
 *Source: www.madscl.org

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures* **PC 3007**
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the Lauritzen and colleagues 1993 reported findings.

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: With improved compliance, external hip protectors should be an effective prophylactic against hip fractures.

Title: *Prevention Of Hip Fracture in Elderly People*
 Author: Pekka Kannus, M.D., Ph.D., et al
 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protector for one year for 8 persons for five years in order for one fracture to be prevented."

EXHIBIT 5

POSEY *CA*
Care Alternatives Division

2002
Restraint Alternatives

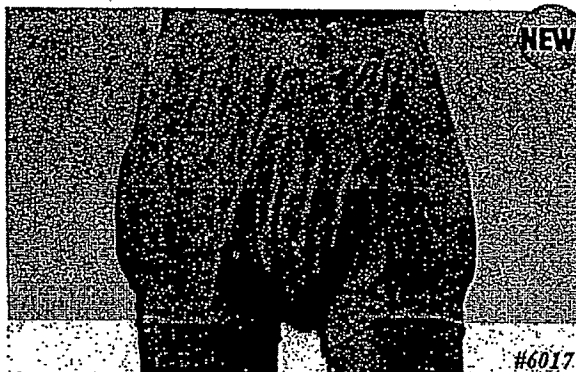
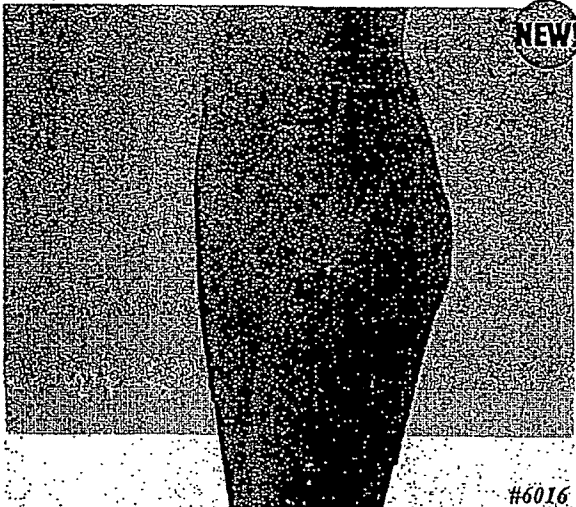
PC 1029

POSEY CA

Alternatives in Care

FALL PREVENTION**POSEY HIPSTER III**

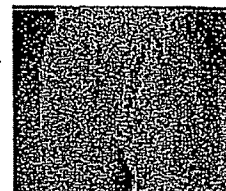
Indications: Patients at risk for falling; those at risk for hip fracture.



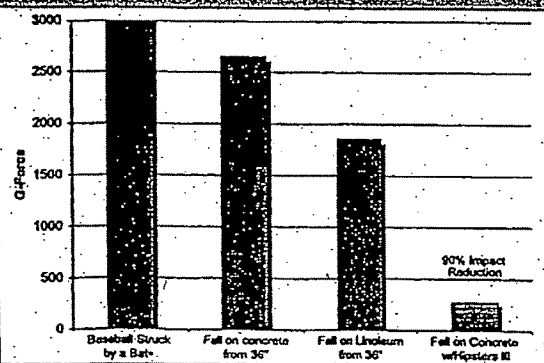
Several studies have documented the efficacy of external hip protectors in preventing hip fractures. The Posey Hipster III features impact absorbing pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall. The brief is made from comfortable poly-cotton-Lycra® with a low-profile pad positioned over each hip. These low profile pads are sewn into a slim fitting brief allowing the Hipster III to be discreetly worn under clothing. The one-piece design allows for easy home or institutional laundering.

Hipster III is available in two styles; standard unisex and incontinent models. The standard unisex brief easily slips on over undergarments or can be worn as underwear. The incontinent brief features a snap front for easier application over adult diapers. The Hipster III fits comfortably around the patient's waist and features a latex-free elastic waistband. 47% polyester, 47% cotton, 6% Lycra. Latex-free.

CAT. #	STYLE	
6016	Hipsters III Standard Brief (Replaces Posey #6010 unisex Hipster brief)	
6017	Hipsters III Incontinent Brief (Replaces Posey #6011 Incontinent Hipster II brief)	
SIZE	WAIST SIZE	HIP SIZE
S	28-30"	35-37"
M	32-34"	39-41"
L	36-38"	43-45"
XL	40-42"	47-49"
XXL	44-46"	51-53"



Low Profile - Both styles fit discreetly under clothing.

Posey Hipsters Proven Effective in Laboratory Test

Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company

An independent laboratory study was conducted to determine the most effective commercially available impact absorbing material as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, weight was released in a guided drop to simulate a 20 lb subject falling from a height of 36" or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660 G's and, for purposes of comparison, is just slightly less impact force than a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster III reduced the impact force by 90% and showed excellent impact energy absorption.

*Source: www.madsol.org.

1-800-44-POSEY

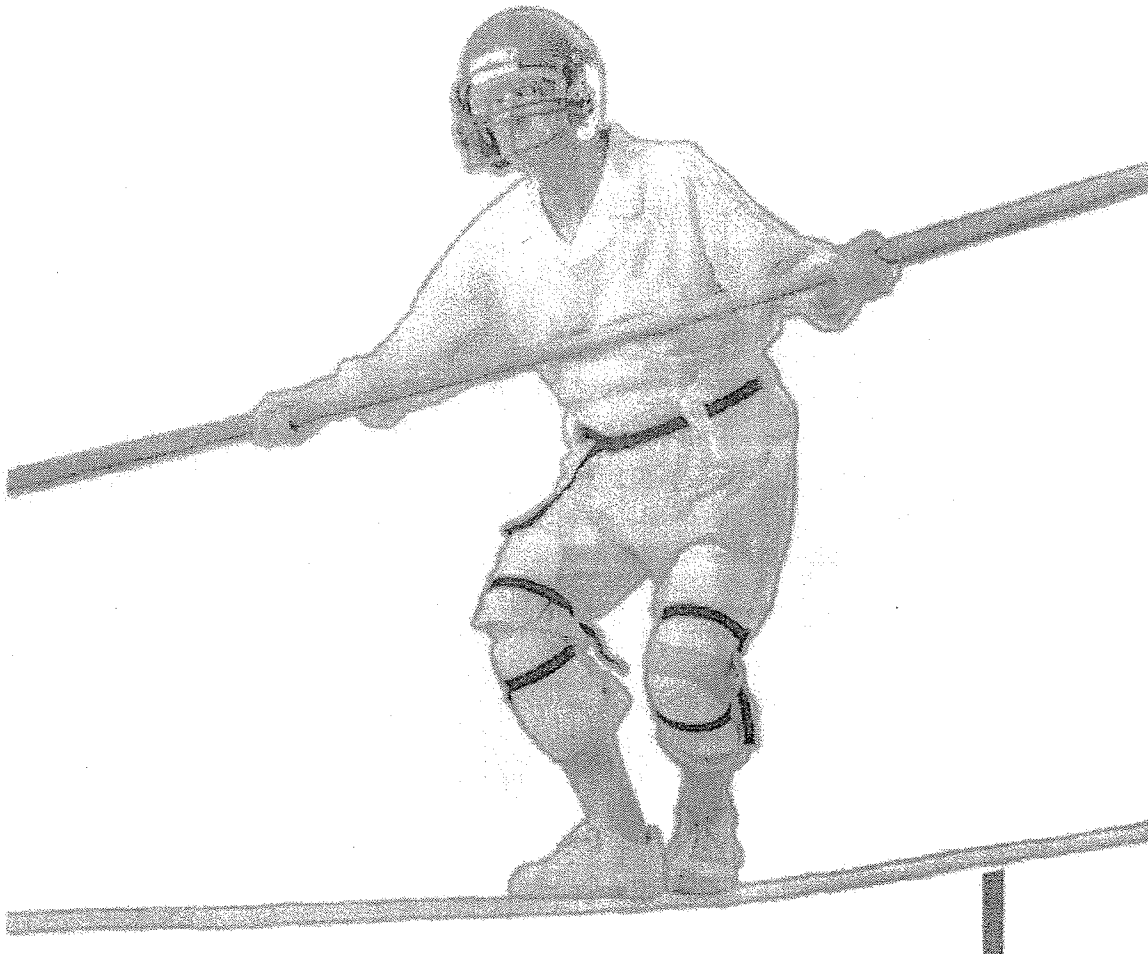
800-767-3933 fax

PC 1030

25

EXHIBIT 6

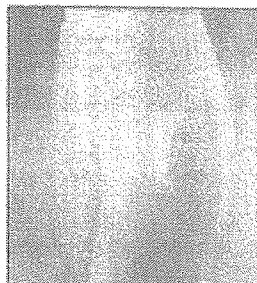
FOR SOME RESIDENTS,



POSEY HIPSTERS

It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. High energy-absorbing, viscoelastic foam pads built into Hipsters increase the odds of surviving a fall uninjured. They are comfortable and slim enough to be virtually undetectable beneath clothing.

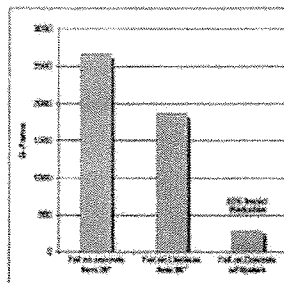
By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.



IMPACT REDUCED BY 90%

An independent laboratory study simulated the fall of a 120-lb object onto concrete from a height of 36". Posey Hipster pads reduced the impact force by 90%.

Data on file at J.T. Posey Company.



SPECIAL OFFER:
30-day no-obligation
free trial.

Test the new Hipster for
yourself at no charge.
Call or visit our Website
today to start your free trial.

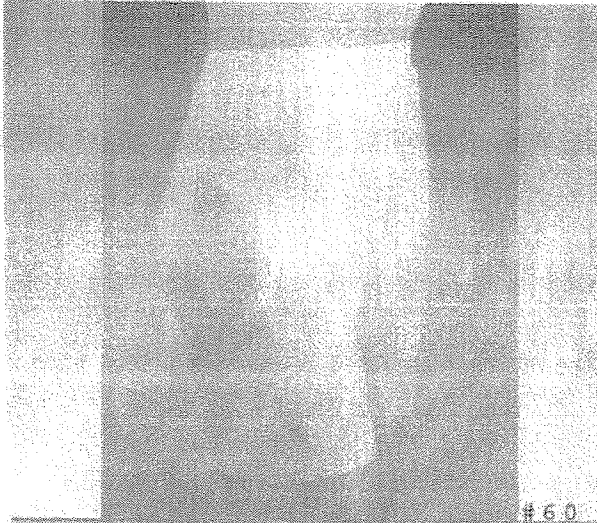
POSEY CA
Care Alternatives Division
Fall Protection That Fits

PC 3002

POSEY CA

Alternatives in Care

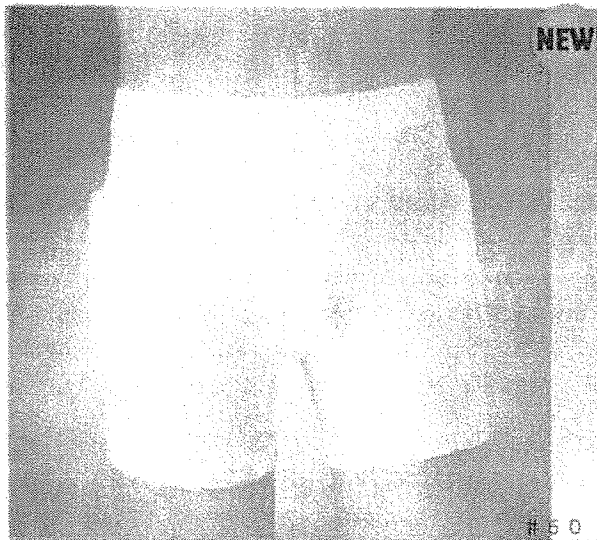
POSEY HIPSTERS



60



60



NEW!

60

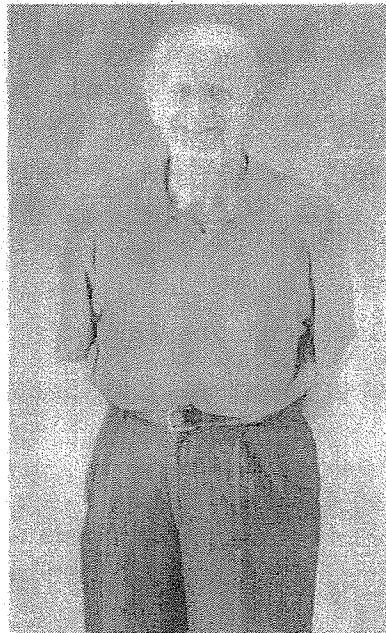
Indications: Patients at risk for falling, those at risk for hip

Studies have documented the efficacy of external hip protectors in preventing hip fractures. Posey Hipsters feature impact absorbing pads over the critical hip fracture area to minimize potential damage, including hip fractures, that can occur from a fall. The brief is made from comfortable poly-cotton-Lycra with a low profile pad positioned over each hip. These low profile pads are sewn into a slim fitting brief allowing the Hipsters to be discreetly worn under clothing. The one-piece design allows for easy home or institutional laundering.

Hipsters are available in three styles: standard unisex brief, male fly brief, and incontinent models. The standard unisex brief and male fly models easily slip on over undergarments or can be worn as underwear. The incontinent brief features a snap front for easier application over adult diapers. The Hipsters fit comfortably around the patient's waist and feature a latex-free elastic waistband. 47% polyester, 47% cotton, 6% Lycra. Latex Free.

CAT #	STYLE
6016	Hipsters Standard Brief
6017	Hipsters Incontinent Brief
6018	Hipsters Male Fly Brief

SIZE	WAIST SIZE	HIP SIZE
S	28-30"	35-37"
M	32-34"	39-41"
L	36-38"	43-45"
XL	40-42"	47-49"
XXL	44-46"	51-53"

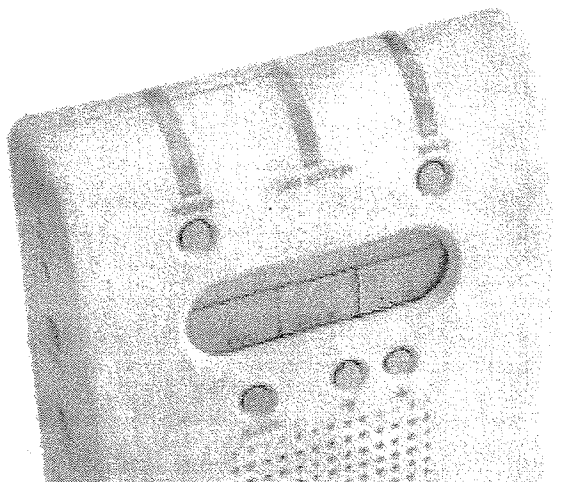


Low Profile
- All styles
fit discreet-
ly under
men's and
women's
clothing.

1-800-44-POSEY
www.posey.com

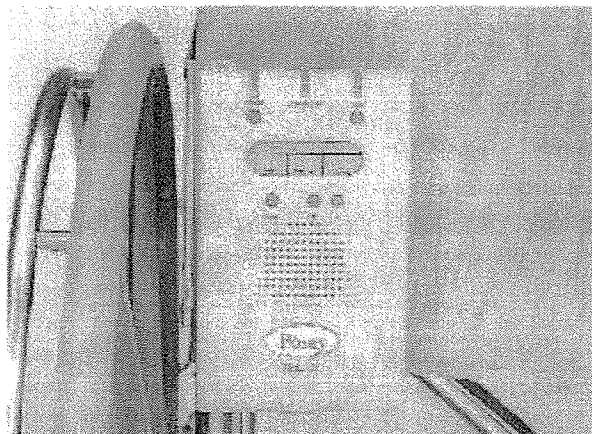
PC 3003

1-800-44-POSEY
www.posey.com

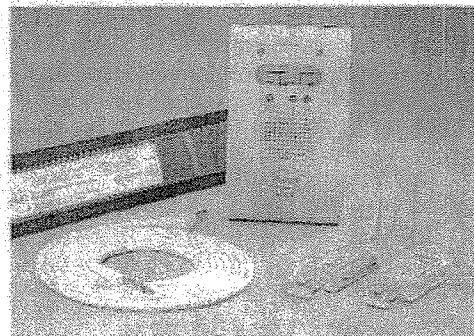


**WITH
VOICE!**

*With voice,
10 tones, variable delay,
volume control and nurse
call interface.*



Sitter II shown with wheelchair mounting bracket #8289.



#8280H Sitter II Alarm Package

POSEY SITTER II[®] FALL PREVENTION MONITOR

**LIFETIME
WARRANTY**

Indication: Patients at risk for falling; for fall assess.

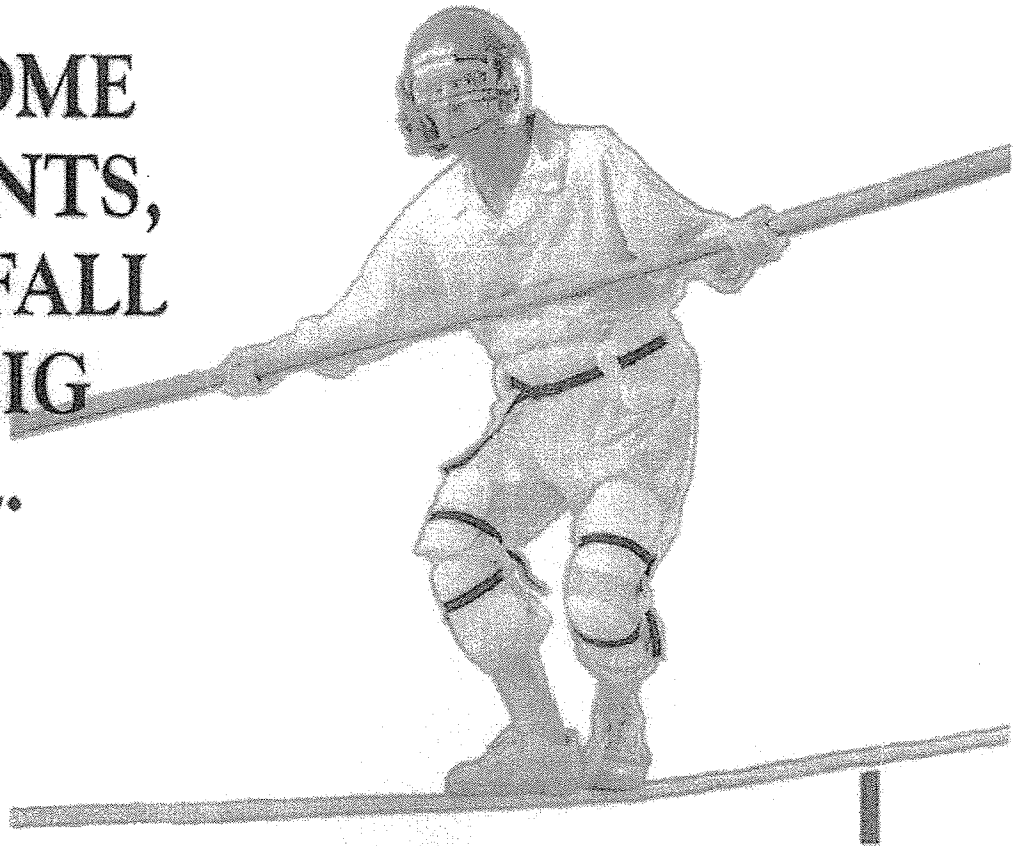
The Posey Sitter II offers caregivers the best of fall prevention in one simple-to-use, non-invasive unit. The lightweight design along with multiple bracket options allows the monitor to be strategically placed out of patient's reach. Indicator lights, visible from all angles, allow caregivers to verify alarm status at a glance, day or night.

Designed for use with one of many bed or chair sensor options, the Posey Sitter II allows caregivers the flexibility to select the suitable sensor for individual patient care. 10 alarm tones, combined with the personalized recording, help to extend the caregiver's reach, reduce patient agitation, minimize facility noise, and differentiate between different patients and other alarms within the facility. Caregivers can also choose from four alarm modes: Voice Only, Tone Only, Voice and Tone, or Mute to allow roommate's undisturbed sleep. Nurse call interface provides dual staff notification while the time delay accommodates restless sleepers and eliminates false alarms.

The "HOLD" feature allows the patient to be away from the bed or chair for up to six hours without having to adjust the alarm settings. Alarm automatically resets and resumes monitoring once the patient returns. This helps ensure continuity of care and continuous patient monitoring.

PC 3004

**FOR SOME
RESIDENTS,
EVERY FALL
IS A BIG
ONE.**



MK000110603

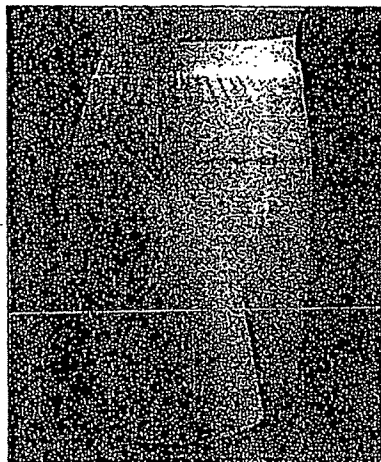
PC 3005

J.T. Posey Company
5635 Peck Road, Arcadia, CA 91006-0020
www.posey.com

Care Alternatives Division
POSEY
CA

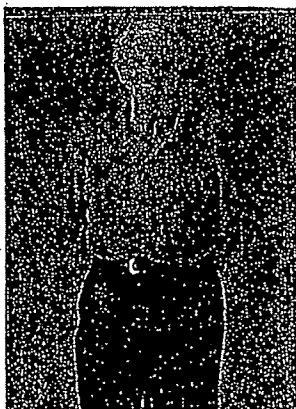
EXHIBIT 7

POSEY HIPSTERS PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

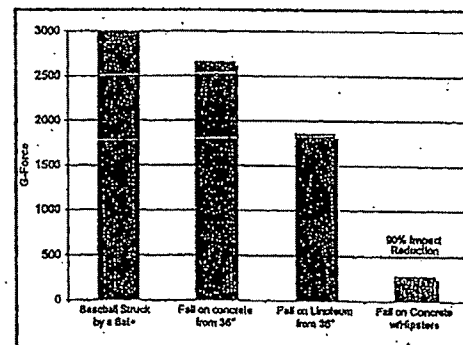
- High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing



*Low Profile -
All styles fit
discreetly
under men's
and women's
clothing.*

PROVEN IMPACT REDUCTION

In an independent laboratory, simulating a fall from a height of 36 inches, the Hipsters reduced the impact force by over 90%.



Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company

POSEY CA
Care Alternatives Division

PC 0408

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*

Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall

Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

Title: *Prevention Of Hip Fracture in Elderly People*

Author: Pekka Kannus, M.D., Ph.D., et al

Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protector for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Please detach and fax to 1-800-767-3933, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.



Name _____
Title _____
Institution _____
Address _____
City _____ State _____ Zip _____
Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



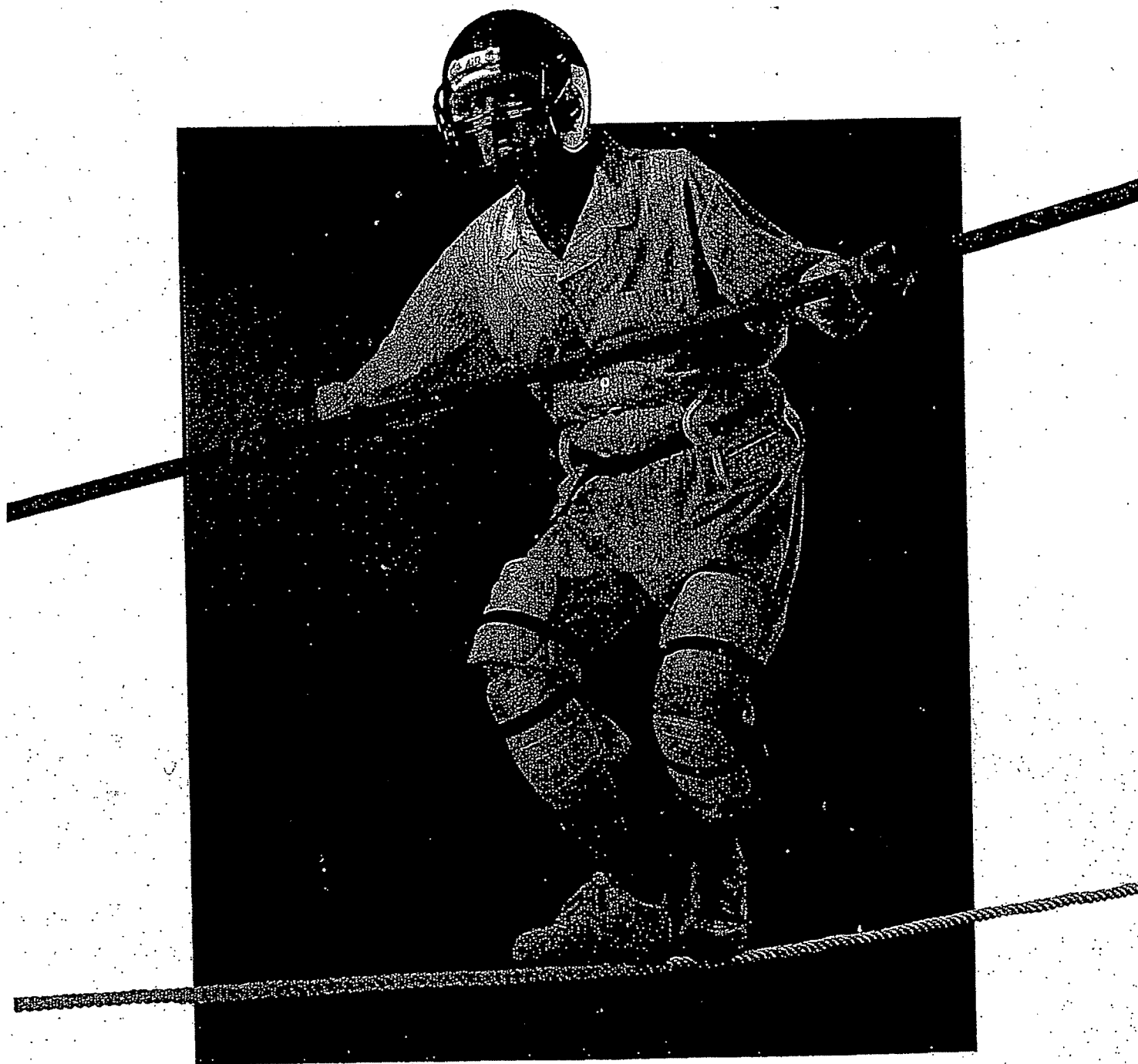
J.T. Posey Company
Attn: Marketing Dept.
5635 Peck Road
Arcadia, CA 91006-0020
Fax 800-767-3933

PC 0409

M6079 121302

EXHIBIT 8

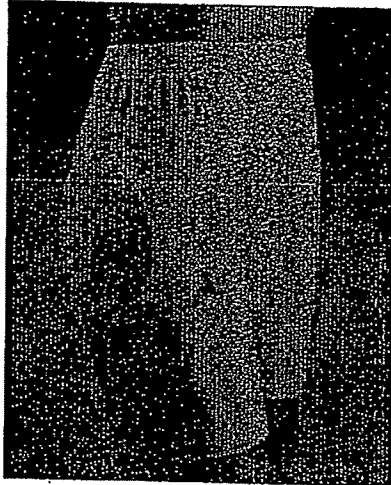
FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



POSEY CA
Care Alternatives Division

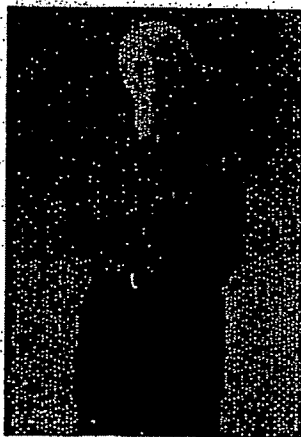
PC 1073

POSEY HIPSTERS PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

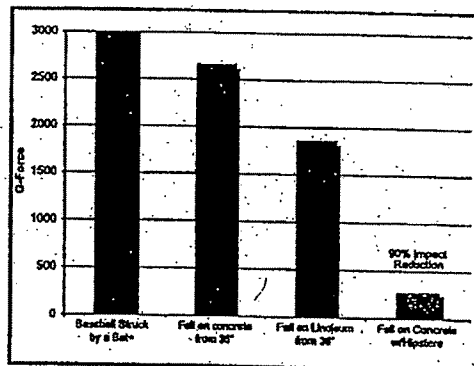
- ▶ High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- ▶ Soft, comfortable pads improve compliance versus hard-shelled products
- ▶ Washable to CDC standards for soiled linen without removing the pads
- ▶ 100% latex-free
- ▶ Five sizes for correct fit
- ▶ Discreet, low-profile pads are virtually undetectable under clothing



*Low Profile -
All styles fit
discreetly
under men's
and women's
clothing.*

PROVEN IMPACT REDUCTION

In an independent laboratory, simulating a fall from a height of 36 inches, the Hipsters reduced the impact force by over 90%.

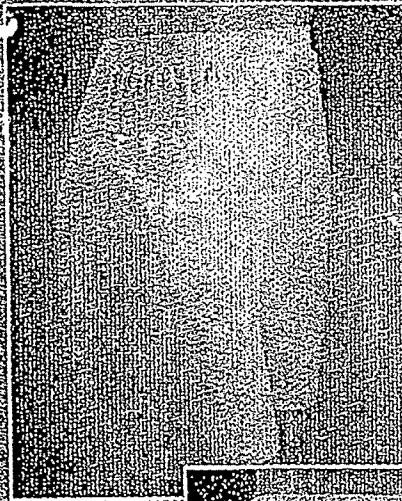


Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company

P O S E Y CA
Care Alternatives Division

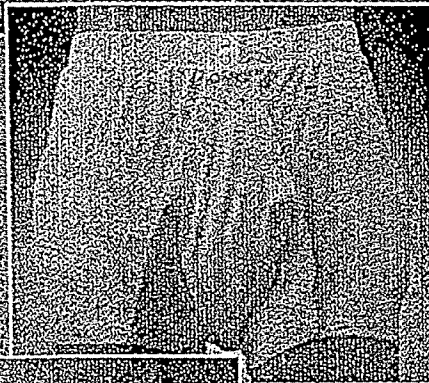
PC 1074

Special offer: 30-day no-risk free trial!
Test the Posey Hipsters for yourself with no obligation to buy.



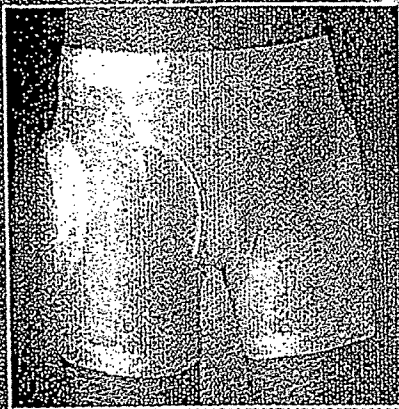
#6016 HIPSTERS STANDARD BRIEF

- Easily fits on over undergarments, or can be worn as underwear.
- Unisex sizing



#6017 INCONTINENT BRIEF

- Snap front for easier application over diaper
- Unisex sizing



#6018 MALE FLY BRIEF

- Easily fits on over undergarments, or can be worn as underwear
- Fly front for improved compliance in male residents

SIZING CHART		
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

FALL FACTS

The total annual cost of hip fractures is projected to reach \$240 billion by the year 2040.

(Source: Centers for Disease Control and Prevention, 3 Aug 2001, www.cdc.gov)

Approximately 95% of hip fractures are caused by falls.

(Source: Centers for Disease Control and Prevention, 3 Aug 2001, <http://www.cdc.gov>)

PC 1075

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: With improved acceptance, external hip protectors should be an effective prophylactic against hip fractures.

Title: *Prevention Of Hip Fracture in Elderly People*
Author: Pekka Kannus, M.D., Ph.D., et al
Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

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Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 11% of the hip fractures in the hip protector group were of the femoral neck type, compared to 25% in the control group."

Please detach and fax to 1-800-767-3933, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.



Name _____
Title _____
Institution _____
Address _____
City _____ State _____ Zip _____
Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



J.T. Posey Company
Attn: Marketing Dept.
5635 Peck Road
Arcadia, CA 91006-0020
Fax 800-767-3933

PC 1076

M607 121302

EXHIBIT 9

POSEY CA
Care Alternatives Division



 **POSEY**
PATIENT SAFETY DIVISION

PC 1031

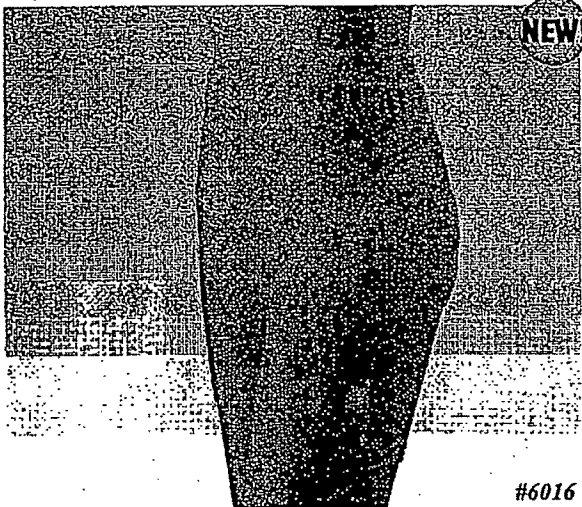
POSEY CA

Alternatives in Care

FALL PREVENTION

POSEY HIPSTER III

Indications: Patients at risk for falling; those at risk for hip fracture.



#6016

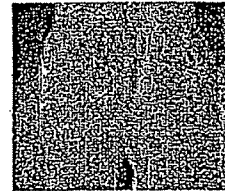


#6017

Several studies have documented the efficacy of external hip protectors in preventing hip fractures. The Posey Hipster III features impact absorbing pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall. The brief is made from comfortable poly-cotton-Lycra® with a low-profile pad positioned over each hip. These low profile pads are sewn into a slim fitting brief allowing the Hipster III to be discreetly worn under clothing. The one-piece design allows for easy home or institutional laundering.

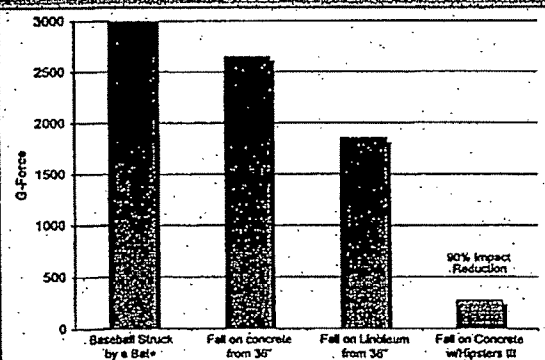
Hipster III is available in two styles; standard unisex and incontinent models. The standard unisex brief easily slips on over undergarments or can be worn as underwear. The incontinent brief features a snap front for easier application over adult diapers. The Hipster III fits comfortably around the patient's waist and features a latex-free elastic waistband. 47% polyester, 47% cotton, 6% Lycra. Latex-free.

CAT. #	STYLE	
6016	Hipsters III Standard Brief (Replaces Posey #6010 unisex Hipster brief)	
6017	Hipsters III Incontinent Brief (Replaces Posey #6011 Incontinent Hipster II brief)	
SIZE	WAIST SIZE	HIP SIZE
S	28-30"	35-37"
M	32-34"	39-41"
L	36-38"	43-45"
XL	40-42"	47-49"
XXL	44-46"	51-53"



Low Profile - Both styles fit discreetly under clothing.

Posey Hipsters Proven Effective in Laboratory Test



Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.I. Posey Company

An independent laboratory study was conducted to determine the most effective commercially available impact absorbing materials as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36" for the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660 G's and, for purposes of comparison, is just slightly less impact force than a baseball being struck by a bat*. In this extreme test, the low profile Posey Hipster III reduced the impact force by 90% and showed excellent impact energy absorption.

*Source: www.madscl.org

1-800-44-POSEY

800-767-3933 fax

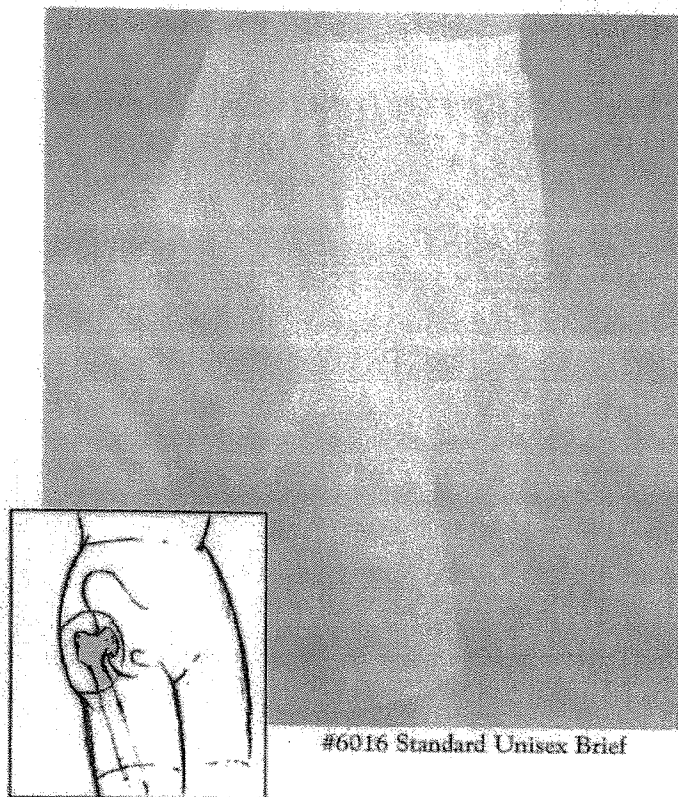
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PC 1032

EXHIBIT 10

Posey® Hipsters

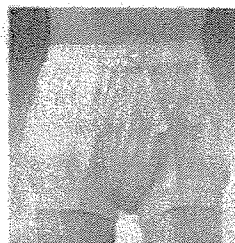
A better way to protect your patients



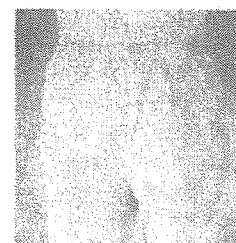
#6016 Standard Unisex Brief



#6018 Male Fly Model



#6017 Incontinent Brief



Posey Hipsters can be worn discreetly under clothing.

- Soft foam pads help minimize potential damage that can occur from a fall.
- Low profile, 1/2" thick pads allow the Hipster to be virtually undetectable under clothing.
- Discreet low-profile pads with soft foam help improve patient compliance.
- **NO ASSEMBLY REQUIRED** – Completely launderable according to CDC standards for soiled linen **WITHOUT** removing the pads.
- 100% Latex-free
- Incontinent brief features a snap front for easier application over adult diapers. May also be worn as a male fly model.
- Available in five sizes to ensure proper fit.

Sizing Chart		
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

POSEY *CA*

Care Alternatives Division

For more information or to place an order, contact your
Posey District Manager or call 1-800-44-POSEY

PC 3008

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: *Want improved compliance, external hip protectors should be an effective prophylactic against hip fractures.*

Title: *Prevention Of Hip Fracture in Elderly People*
 Author: Pekka Kannus, M.D., Ph.D., et al
 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

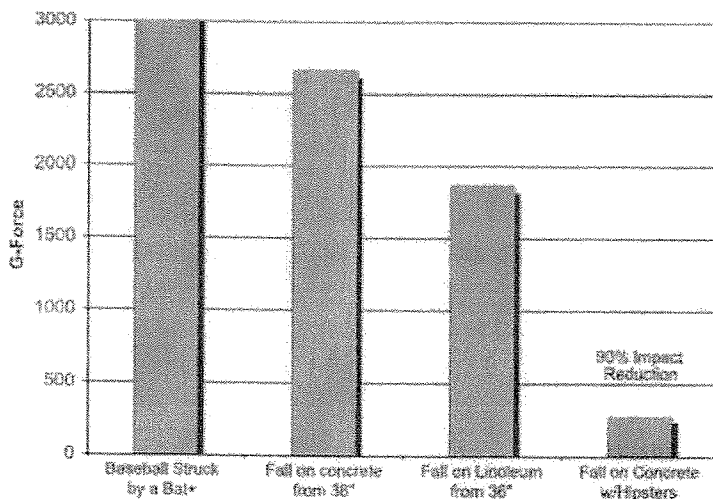
Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,146 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protector for one year (or 9 persons for five years) in order for one fracture to be prevented."

Posey Hipsters Proven Effective in Laboratory Test

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PC 3009

Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company
 *Source: www.madscl.org

EXHIBIT 11

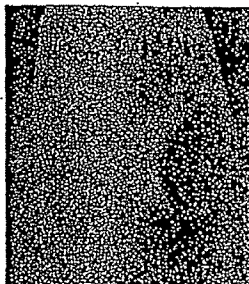
FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE.



POSEY HIPSTERS

It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. High energy-absorbing, viscoelastic foam pads built into Hipsters increase the odds of surviving a fall uninjured. They are comfortable and slim enough to be virtually undetectable beneath clothing.

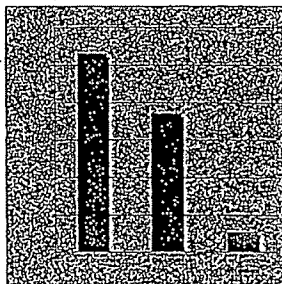
By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.



IMPACT REDUCED BY 90%

An independent laboratory study simulated the fall of a 120-lb object onto concrete from a height of 36". Posey Hipster pads reduced the impact force by 90%.

Data on file at J.T. Posey Company.



SPECIAL OFFER:
30-day no-obligation
free trial.

Test the new Hipster for
yourself at no charge.
Call or visit our Website
today to start your free trial.

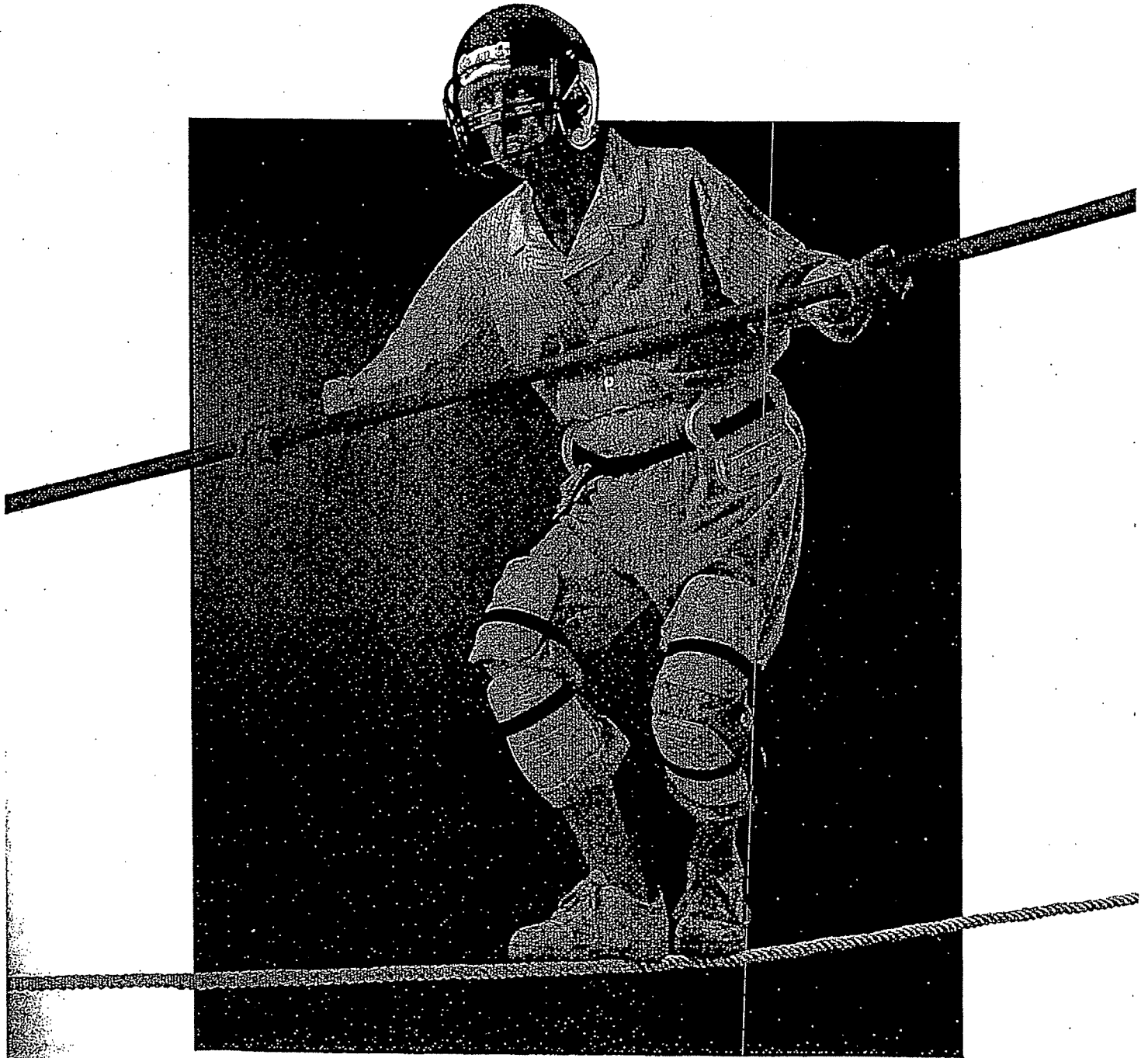
POSEY CA

Care Alternatives Division

Fall Protection That Fits

EXHIBIT 12

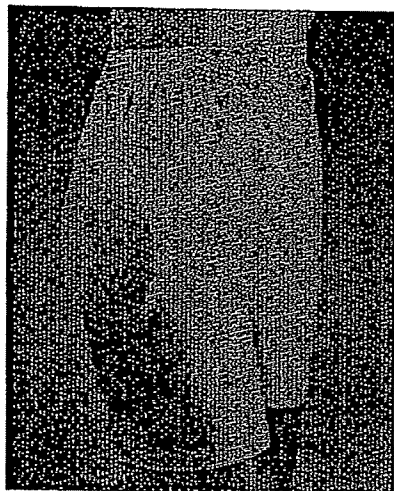
FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



POSEY CA
Care Alternatives Division

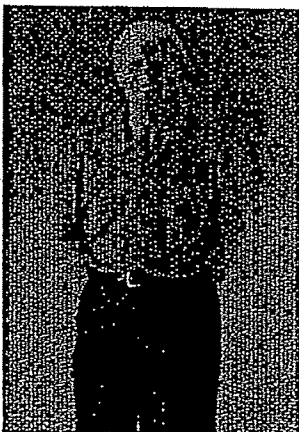
PC 1806

POSEY HIPSTERS PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

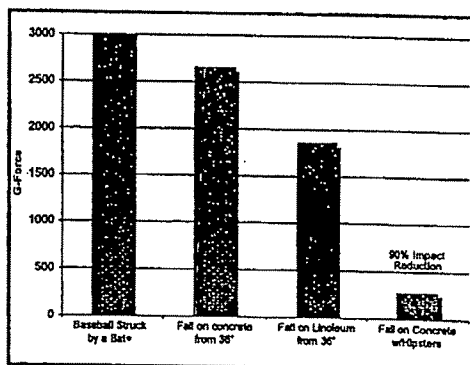
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*Low Profile -
All styles fit
discreetly
under men's
and women's
clothing.*

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POSEY CA
Care Alternatives Division

PC 1807

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.

#6016 HIPSTERS STANDARD BRIEF

- Easily fits on over undergarments, or can be worn as underwear.
- Unisex sizing

#6017 INCONTINENT BRIEF

- Snap front for easier application over diaper
- Unisex sizing

#6018 MALE FLY BRIEF

- Easily fits on over undergarments, or can be worn as underwear
- Fly front for improved compliance in male residents

SIZING CHART		
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

FALL FACTS

The total annual cost of hip fractures is projected to reach \$240 billion by the year 2040.

(Source: Centers for Disease Control and Prevention - 3 Aug 2001 - www.cdc.gov)

Approximately 95% of hip fractures are caused by falls.

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 Author: Pekka Kannus, M.D., Ph.D., et al
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Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 4 persons need to use the hip protector for one year to prevent 3 persons from having a hip fracture or one fracture prevented."

Please detach and fax to 1-800-767-3933, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsteers.



Name _____
 Title _____
 Institution _____
 Address _____
 City _____ State _____ Zip _____
 Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



J.T. Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020
 Fax 800-767-3933

PC 1809

M6079 121302

EXHIBIT 13

POSEY CA
Care Alternatives Division



Complete Healthcare Catalog **2003**



POSEY
PATIENT SAFETY DIVISION

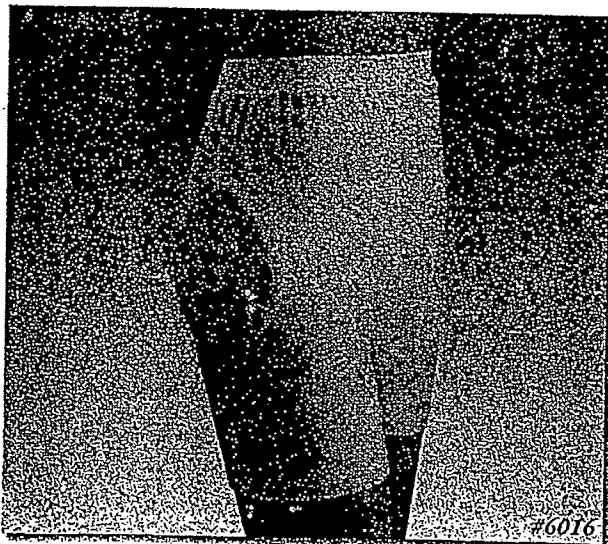
PC 1033

POSEY CA

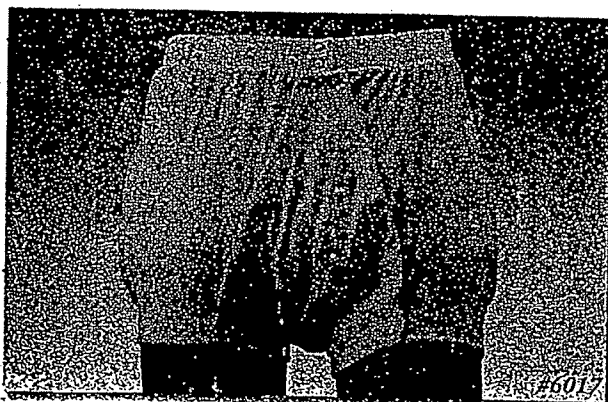
Alternatives in Care

FALL MANAGEMENT - FALL PROTECTION

POSEY HIPSTERS



#6016



#6017



#6018

Indications: Patients at risk of falling and/or with hip fractures

Studies have documented the efficacy of external hip protectors in preventing hip fractures. Posey Hipsters feature impact absorbing pads over the critical hip fracture area to minimize potential damage, including hip fractures, that can occur from a fall. The brief is made from comfortable poly-cotton-Lycra with a low profile pad positioned over each hip. These low profile pads are sewn into a slim fitting brief allowing the Hipsters to be discreetly worn under clothing. The one-piece design allows for easy home or institutional laundering.

Hipsters are available in three styles: standard unisex brief, male fly brief, and incontinent models. The standard unisex brief and male fly models easily slip on over undergarments or can be worn as underwear. The incontinent brief features a snap front for easier application over adult diapers. The Hipsters fit comfortably around the patient's waist and feature a latex-free elastic waistband. 47% polyester, 47% cotton, 6% Lycra. Latex-free.

CAT. #	STYLE
6016	Hipsters Standard Brief
6017	Hipsters Incontinent Brief
6018	Hipsters Male Fly Brief

SIZE	WAIST SIZE	HIP SIZE
S	28-30"	35-37"
M	32-34"	39-41"
L	36-38"	43-45"
XL	40-42"	47-49"
XXL	44-46"	51-53"



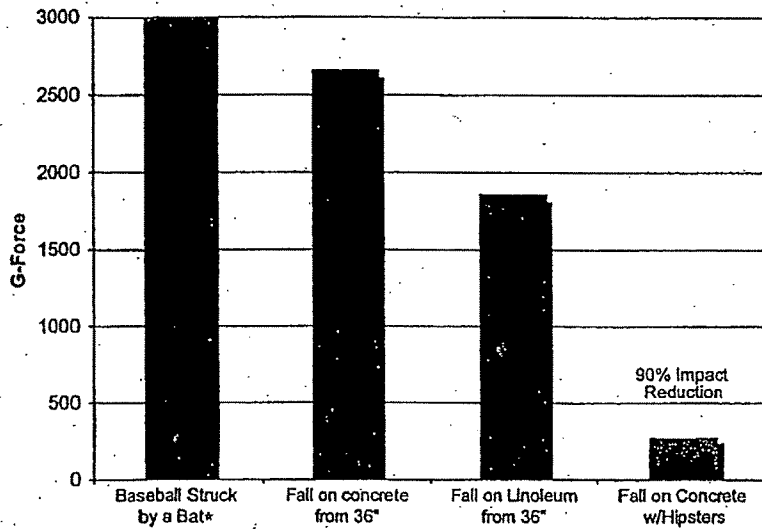
*Low Profile -
Both styles fit
discreetly
under clothing.*

PC 1034

1-800-44-POSEY
www.posey.com

1-800-44-POSEY

www.posey.com

Posey Hipsters Proven Effective in Laboratory Test

*Testing was conducted by Garywood Laboratories July 2001. Data on file at Posey Company.

Research conducted by Garywood Laboratories, Inc. in July 2001, demonstrated that the Posey Hipster significantly reduces the impact force of a fall on concrete. The test results show that the Posey Hipster reduces the impact force by 90% compared to a fall on concrete without the Hipster. This reduction in impact force is crucial for preventing hip fractures, which are a common and serious injury in the elderly. The Posey Hipster is designed to absorb and dissipate the energy of a fall, thereby protecting the hip joint. The test results also show that the Posey Hipster is effective in reducing the impact force of a fall on linoleum, although the reduction is not as significant as on concrete. Overall, the research confirms that the Posey Hipster is an effective device for fall protection in the elderly.

FALL MANAGEMENT - FALL PROTECTION



Older Americans are at a high risk of falling and sustaining a hip fracture. Hip fractures are a major cause of disability and death in the elderly. The risk of falling increases with age, and the risk of sustaining a hip fracture increases with the severity of the fall. The Posey Hipster is a device that can help reduce the risk of falling and sustaining a hip fracture. It is designed to absorb and dissipate the energy of a fall, thereby protecting the hip joint.

Only the Posey Hipster has been proven to reduce the risk of falling and sustaining a hip fracture. It is the only device that has been tested and proven to be effective in reducing the impact force of a fall on concrete.

Patricia Kaninus, MD, PhD, (2000 November). Prevention of hip fracture in older people. *New England Journal of Medicine* (343: No. 21).

PC 1035

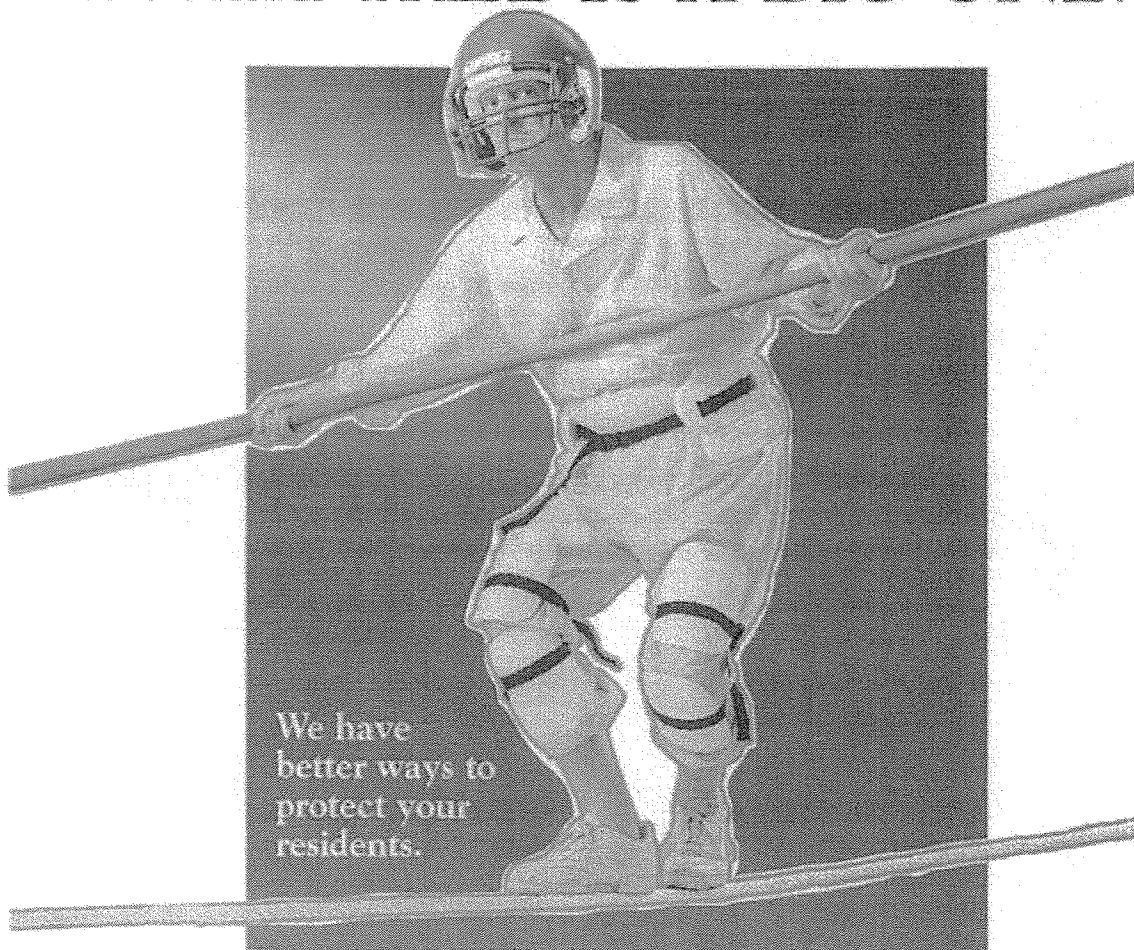
FALL FACTS

In 1996, older Americans suffered hip fractures at a cost in excess of \$10 billion.

(Source: George P. Fuller, Col, MC, Falls in the Elderly, *American Family Physician*, April 2000)

EXHIBIT 14

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE.

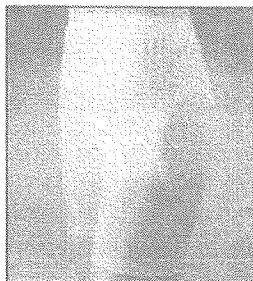


We have
better ways to
protect your
residents.

POSEY HIPSTERS

It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. High energy-absorbing, viscoelastic foam pads built into Hipsters increase the odds of surviving a fall uninjured. They are comfortable and slim enough to be virtually undetectable beneath clothing.

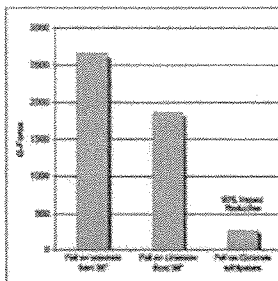
By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.



IMPACT REDUCED BY 90%

An independent laboratory study simulated the fall of a 120-lb object onto concrete from a height of 36". Posey Hipster pads reduced the impact force by 90%.

Data on file at J.T. Posey Company.



SPECIAL OFFER:
30-day no-obligation
free trial.

Test the new Hipster for
yourself at no charge.
Call or visit our Website
today to start your free trial.

POSEY CA
Care Alternatives Division
Fall Protection That Fits

PC 3000

J.T. Posey Company, 5635 Peck Road, Arcadia, CA 91006-0020 www.posey.com 1-800-44-POSEY

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MX1191

2/11/03

EXHIBIT 15



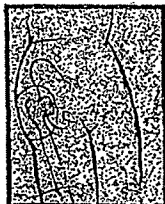
Posey® EZ On Hipsters™

In 1996, hospital admissions for hip fractures among people aged 65 and older totaled 340,000 and is expected to exceed 500,000 with a projected annual cost of \$240 billion by the year 2040.¹ Tragically, half of all older adults hospitalized for hip fractures cannot return home or live independently after their injury and about one quarter will die within one year due to the fracture or related complications.²

Several studies have documented the efficacy of external hip protectors in preventing hip fractures. These same studies also point out that patient compliance is a driving factor in product effectiveness. Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall. The low profile pads allow the Hipsters to be discreetly worn under clothing. These soft pads offer greater comfort when compared to hard shell style hip protectors. Patient comfort, coupled with the low profile design, helps increase patient compliance.

The EZ On Hipsters are applied around the waist and lower thigh using the hook-and-loop attachments, and allow the patients to wear their own undergarments. The mesh material is water permeable, allowing the EZ On Hipsters to be worn during bathing.

EZ On Hipsters feature removable pads. Although the pads are removable, the Hipsters can be laundered with the pads in place. Removing the pads prior to laundering will help prolong the life of the product.



While no product can provide complete protection from hip fractures, Posey Hipsters will help to minimize the potential for damage that can occur from a fall.

#6019 EZ On Hipsters

#6008 Replacement Pads, 1 pair

Application Instructions

1. Unfasten the hook and loop at the waist and thighs.
2. Wrap the garment around your waist. The labels should be oriented towards the back and on the inside of the waistband.
3. Fasten the hook and loop at the front of your waist. The waistband should be securely fastened to allow minimal shifting of the garment but should not feel tight or restrictive.
4. Pull the left panel taut over the left hip and thigh. The pad should be positioned directly over the hip joint.
5. Secure around the lower thigh using the hook and loop attachment. The elastic band should be tight enough to prevent the pad from sliding out of place without restricting circulation.
6. Repeat steps 4 and 5 on right side.

Laundering Instructions

Posey Hipsters may be washed according to CDC standards (see symbols below). Using the lower temperature washing and drying cycle for non-contaminated linen will prolong product life.

- If hook and loop does not adhere, it is most likely due to a collection of lint. Clean hook by brushing with a stiff brush.
- If pads are removed, wipe clean with mild, liquid disinfectant before replacing in the pants.



#6019

Sizing Chart		
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

⚠ WARNING

Due to the random possibilities of fall characteristics, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

⚠ WARNING

- Posey Hipsters contain foam pads that are sealed in a pouch to protect the foam.
- If the pouch is cut or the seal is broken in laundering, moisture will enter the pouch and compromise the impact absorption quality of the foam.
- Test pouch and foam integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel air or liquid escaping, or the foam feels soft and spongy, the pouch is damaged.
- Remove the damaged pouch and replace with a new one.

¹ Centers for Disease Control and Prevention, 3 Aug 2001, www.cdc.gov; 2 Rubenstein, Lawrence, M.D., M.P.H. (2000) Hip Protectors - A Breakthrough in Fracture Prevention. The New England Journal of Medicine.

J.T. Posey Company 5635 Peck Road • Arcadia, CA 91006-0020 USA • Tel: 800-447-6739 or 626-443-3143 • Fax: 800-767-3933 or 626-443-5014 • www.posey.com

EU AUTH. PERSON: (MDD 93/42/EEC) MOSS GmbH, Burckhardtstr. 1, D-30163, Hannover, Germany

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M5017 062003

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: ~~With improved compliance, external hip protectors should be an effective prophylactic against hip fractures.~~

Title: *Prevention Of Hip Fracture in Elderly People*
 Author: Pekka Kannus, M.D., Ph.D., et al
 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

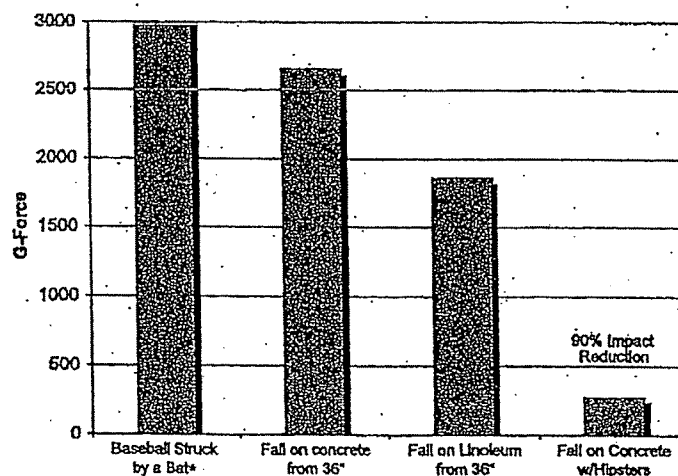
Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. ~~Only persons who use the hip protector for the full duration of the study can benefit from the reduction in fracture risk.~~

Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120lb subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force by 90% and showed excellent impact energy absorption.



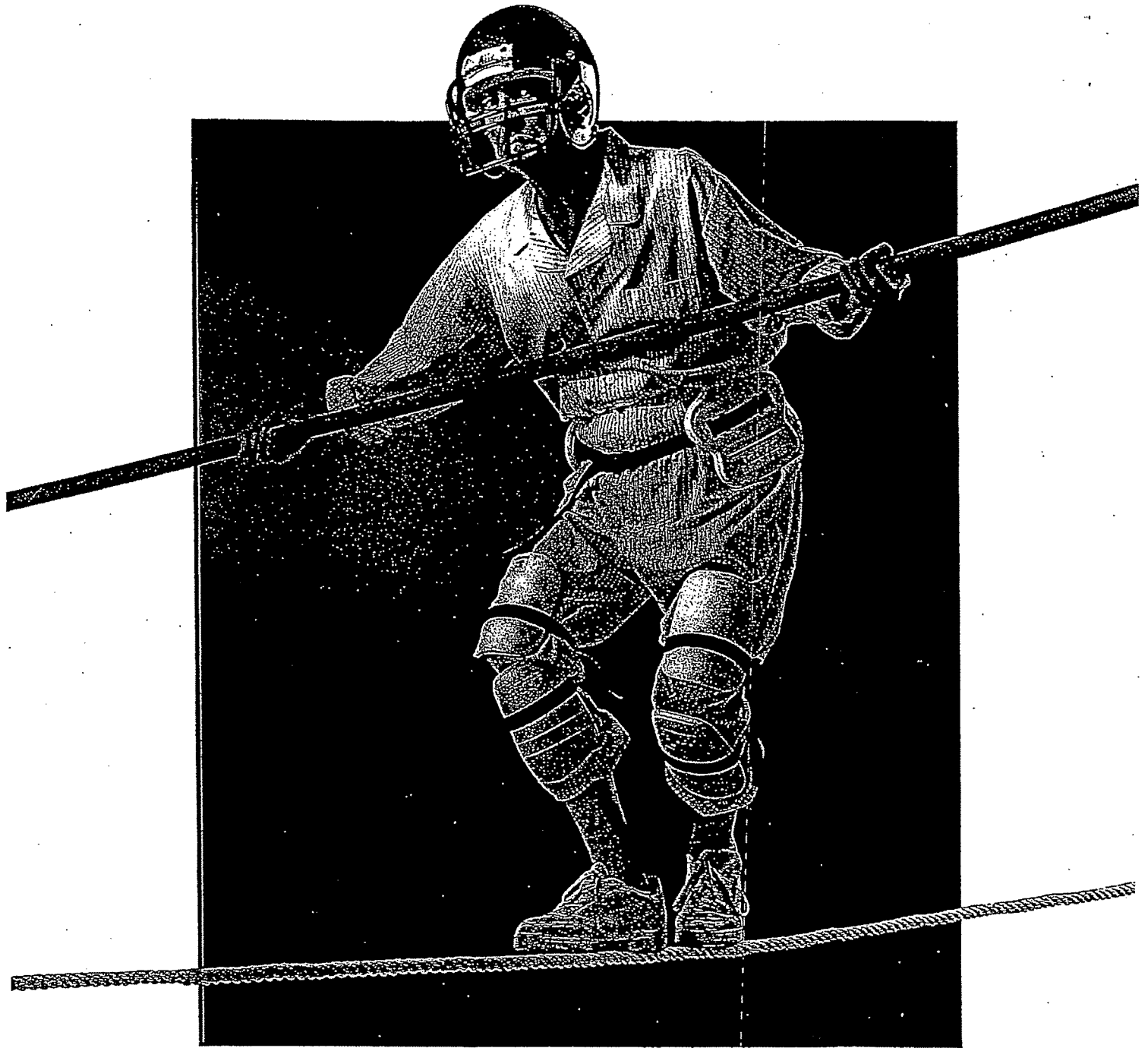
Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company
 *Source: www.madsci.org

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PC 0407

EXHIBIT 16

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



POSEY

PC 1810

POSEY HIPSTERS PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

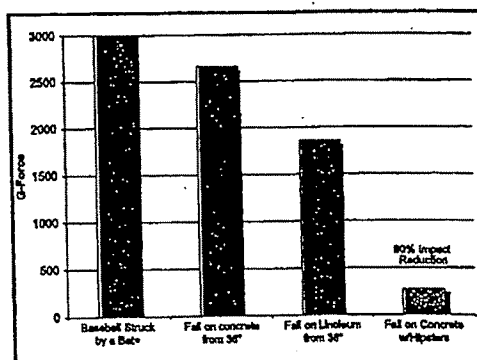
- High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing



*Low Profile -
All styles fit
discreetly
under men's
and women's
clothing.*

PROVEN IMPACT REDUCTION

In an independent laboratory, simulating a fall from a height of 36 inches, the Hipsters reduced the impact force by over 90%.



Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company



POSEY

PC 1811

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.



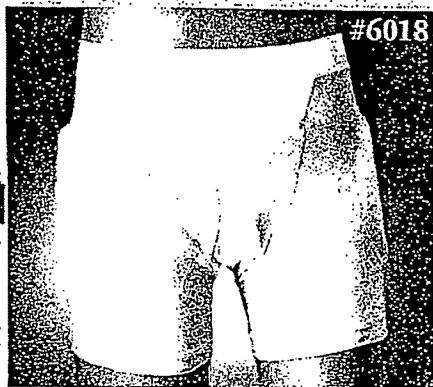
#6016 HIPSTERS STANDARD BRIEF

- Easily fits on over undergarments, or can be worn as underwear.
- Unisex sizing



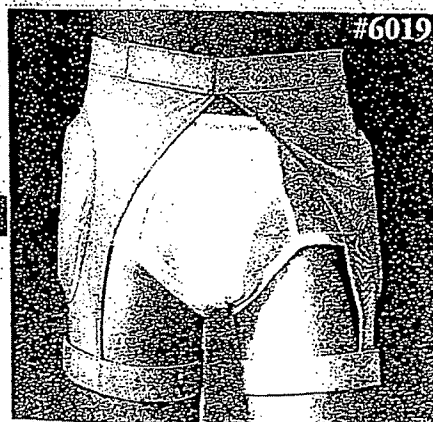
#6017 INCONTINENT BRIEF

- Snap front for easier application over diaper
- Unisex sizing



#6018 MALE FLY BRIEF

- Easily fits on over undergarments, or can be worn as underwear
- Fly front for improved compliance in male residents



#6019 EZ-ON BRIEF

- Residents can wear their own undergarments
- Can be worn in the shower

SIZING CHART		
Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

FALL FACTS

The total annual cost of hip fractures is projected to reach \$240 billion by the year 2040.

(Source: Centers for Disease Control and Prevention, 3 Aug 2001. www.cdc.gov)

Approximately 95% of hip fractures are caused by falls.

(Source: Centers for Disease Control and Prevention, 3 Aug 2001. <http://www.cdc.gov>)

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

Title: *Prevention Of Hip Fracture in Elderly People*
 Author: Pekka Kannus, M.D., Ph.D., et al
 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protector for one year (or 8 persons for five years) in order for one fracture to be prevented."

Please detach and fax to 1-800-767-3933, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.



Name _____
 Title _____
 Institution _____
 Address _____
 City _____ State _____ Zip _____
 Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



J.T. Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020
 Fax 800-767-3933

PC 1813

M607 092603

EXHIBIT 17



Posey® Hipsters™

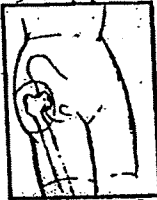
In 1996, hospital admissions for hip fractures among people aged 65 and older totaled 340,000 and is expected to exceed 500,000 with a projected annual cost of \$240 billion by the year 2040.¹ Tragically, half of all older adults hospitalized for hip fractures cannot return home or live independently after their injury and about one quarter will die within one year due to the fracture or related complications.²

Several studies have documented the efficacy of external hip protectors in preventing hip fractures. These same studies also point out that patient compliance is a driving factor in product effectiveness.

While no product can provide complete protection from hip fractures, Posey Hipsters will help to minimize the potential for damage that can occur from a fall.

The Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall. The low profile pads are sewn into a slim fitting poly-cotton-Lycra® brief allowing the Hipsters to be discretely worn under clothing. These soft pads offer greater comfort when compared to hard shell style hip protectors. Patient comfort coupled with the low profile design helps increase patient compliance.

Hipsters are available in three styles; standard unisex, male fly and incontinent models. The standard unisex and male fly briefs easily slip on over undergarments or can be worn as underwear. The incontinent brief features a snap front for easier application over adult diapers. The Hipsters elastic waistband fits comfortably around the patient's waist and is completely latex-free.



- #6016 Hipsters Standard Brief
- #6017 Hipsters Incontinent Brief
- #6018 Hipsters Male Fly Brief

APPLICATION INSTRUCTIONS

1. With the Posey label in the back, put Hipsters on as you would a pair of shorts, sliding them gently over the hips. Adjust to assure that the foam pads are properly aligned with and cover the hip joint.

LAUNDERING INSTRUCTIONS

For longest garment life wash hot, dry on low and bleach as directed on container. "Studies have shown that a satisfactory reduction of microbial contamination can be achieved at water temperatures lower than 160°F if laundry chemicals suitable for low-temperature washing are used at proper concentrations. In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Instructions of the manufacturers of the machine and the detergent or wash additive should be followed closely." Washing and drying cycles with higher temperatures will shorten garment life.



¹ Centers for Disease Control and Prevention, 3 Aug 2001, www.cdc.gov

² Rubenstein, Laurence, M.D., M.P.H. (2000) Hip Protectors - A Breakthrough in Fracture Prevention. The New England Journal of Medicine.

³ Center for Disease Control and Prevention, 27 Aug 2004, www.cdc.gov/ncidod/hip/Sterile/laundry.htm

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#6017



#6018

Posey Hipsters can be worn discretely under clothing.



#6016

Sizing Chart

Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

WARNING

Due to the random possibilities of fall characteristics, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

WARNING

- Posey Hipsters contain foam pads that are sealed in a pouch to protect the foam.
- If the pouch is cut or the seal is broken in laundering, moisture will enter the pouch and compromise the impact absorption quality of the foam.
- Test pouch and foam integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel air or liquid escaping, or the foam feels soft and spongy, the pouch is damaged.
- If the pouch is damaged discontinue use immediately!

PC 1065

M6016 092804



Clinical References Supporting the Use of Hip Protectors

Title: *Effect of External Hip Protectors on Hip Fractures*
Author: J.B. Lauritzen, M.M. Petersen, B. Lund
Publication: The Lancet, volume 341, January 2, 1993

Study Objectives: This study evaluates the efficacy of external hip protectors in preventing hip fractures in nursing home residents. The study consisted of two groups; a treatment group of 247 residents who received external hip protectors and the control group of 418 residents who did not receive external hip protectors.

Results: The study confirmed positive results for nursing home residents who were in compliance for wearing hip protectors.

Recommendations:

Title: *Hip Fracture Disease: Coping with a Contemporary Epidemic*
Author: William J. Robb III, M.D.
Publication: The Journal of Musculoskeletal Medicine, December 1993

Study Objective: With hip fractures estimated to occur at a rate of greater than 760 per day, the National Institute on Aging looked at the use of hip protectors as a fracture prevention device for those patients with a high risk of falls.

Results: Hip protectors proved successful in preventing hip fractures. Of the more than ninety recorded fall incidents, not one fracture occurred in those patients wearing hip pads. Smaller studies from Denmark and Germany reported similar results.

Recommendation: "Passive protectors for high-risk persons or high-risk institutional environments may be an important part of future fracture prevention programs."

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of Lauritzen and colleagues.

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations:

Title: *Prevention Of Hip Fracture in Elderly People*
Author: Pekka Kannus, M.D., Ph.D., et al
Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

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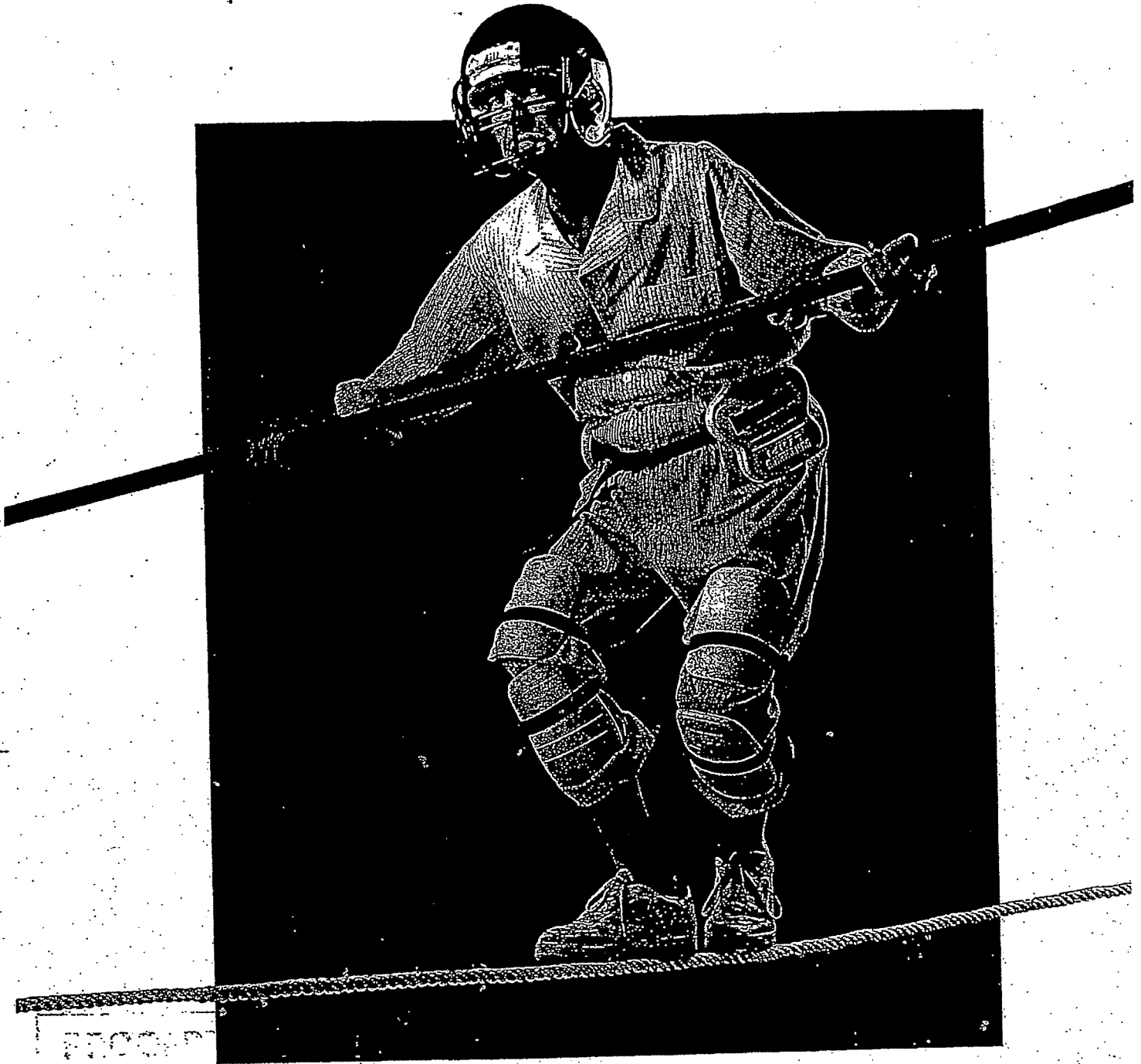
Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector."

PC 1066

EXHIBIT 18

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



Posey®

PC 1077

X
1 change
R2 11/14/04

POSEY HIPSTERS ^{HELP} PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

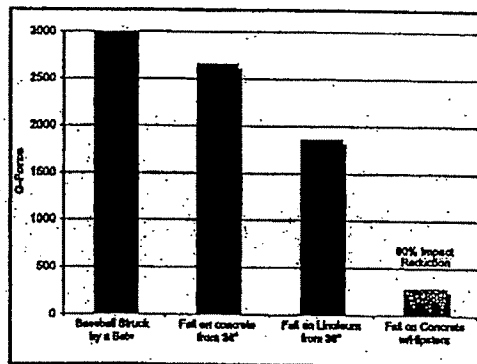
- High impact-absorbing viscoelastic or high durability pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing



Low Profile - All styles fit discreetly under men's and women's clothing.

PROVEN IMPACT REDUCTION

In an independent laboratory, simulating a fall from a height of 36 inches, the Hipsters reduced the impact force by over 90%.



Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company



Posey®

5635 Peck Road, Arcadia, CA 91006-0020 USA

Tel: 1-626-443-3143 Fax: 626-443-5014

www.posey.com

PC 1078

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.



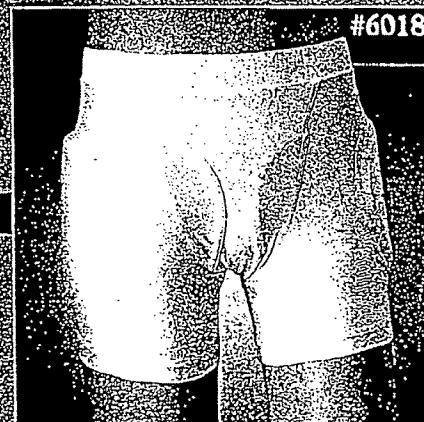
#6016 HIPSTERS STANDARD BRIEF

- Easily fits on over undergarments, or can be worn as underwear.
- Unisex sizing. Washable to 120°F, 50°C
- #6016H Standard Brief with high durability pads. Washable to 160°F, 71°C



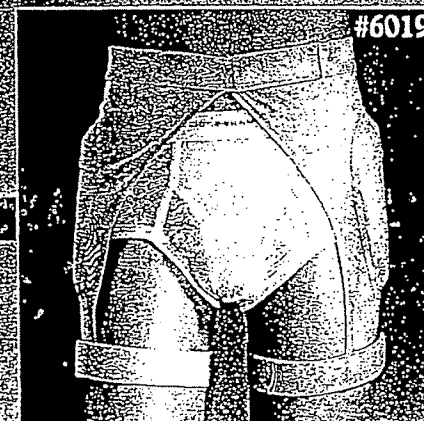
#6017 INCONTINENT BRIEF

- Snap front for easier application over diaper
- Unisex sizing. Washable to 120°F, 50°C
- #6017H Incontinent Brief with high durability pads. Washable to 160°F, 71°C



#6018 MALE FLY BRIEF

- Easily fits on over undergarments, or can be worn as underwear
- Fly front for improved compliance in male residents
- Washable to 120°F, 50°C



#6019 EZ-ON BRIEF

- Residents can wear their own undergarments
- Can be worn in the shower
- Hip pads can be removed for laundering or replacement.
- Washable to 120°F, 50°C

HOME WASHING INSTRUCTIONS:

All Posey Hipsters may be washed on "hot", dry on low, bleach as directed on container.

SIZING CHART

Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 77cm	35" - 37" or 88 - 94cm
M	32" - 34" or 81 - 87cm	39" - 41" or 99 - 105cm
L	36" - 38" or 91 - 97cm	43" - 45" or 109 - 115cm
XL	40" - 42" or 101 - 107cm	47" - 49" or 119 - 125cm
XXL	44" - 46" or 111 - 117cm	51" - 53" or 129 - 135cm

FALL FACTS

The total annual cost of hip fractures is projected to reach \$240 billion by the year 2040.

(Source: Centers for Disease Control and Prevention, 3 Aug 2001. www.cdc.gov)

Approximately 95% of hip fractures are caused by falls.

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Recommendations: ~~With improved compliance, external hip protectors should be an effective prophylactic against hip fractures.~~

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Author: Pekka Kannus, M.D., Ph.D., et al
Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

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Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. ~~Only 4 persons need to use the hip protector for one year, or 8 persons for five years, in order for one fracture to be prevented.~~

Please detach and fax to 1-626-443-5014, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.



Name _____
 Title _____
 Institution _____
 Address _____
 City _____ State _____ Zip _____
 Telephone () _____ Best time to call _____ am _____ p

Fax or mail to:



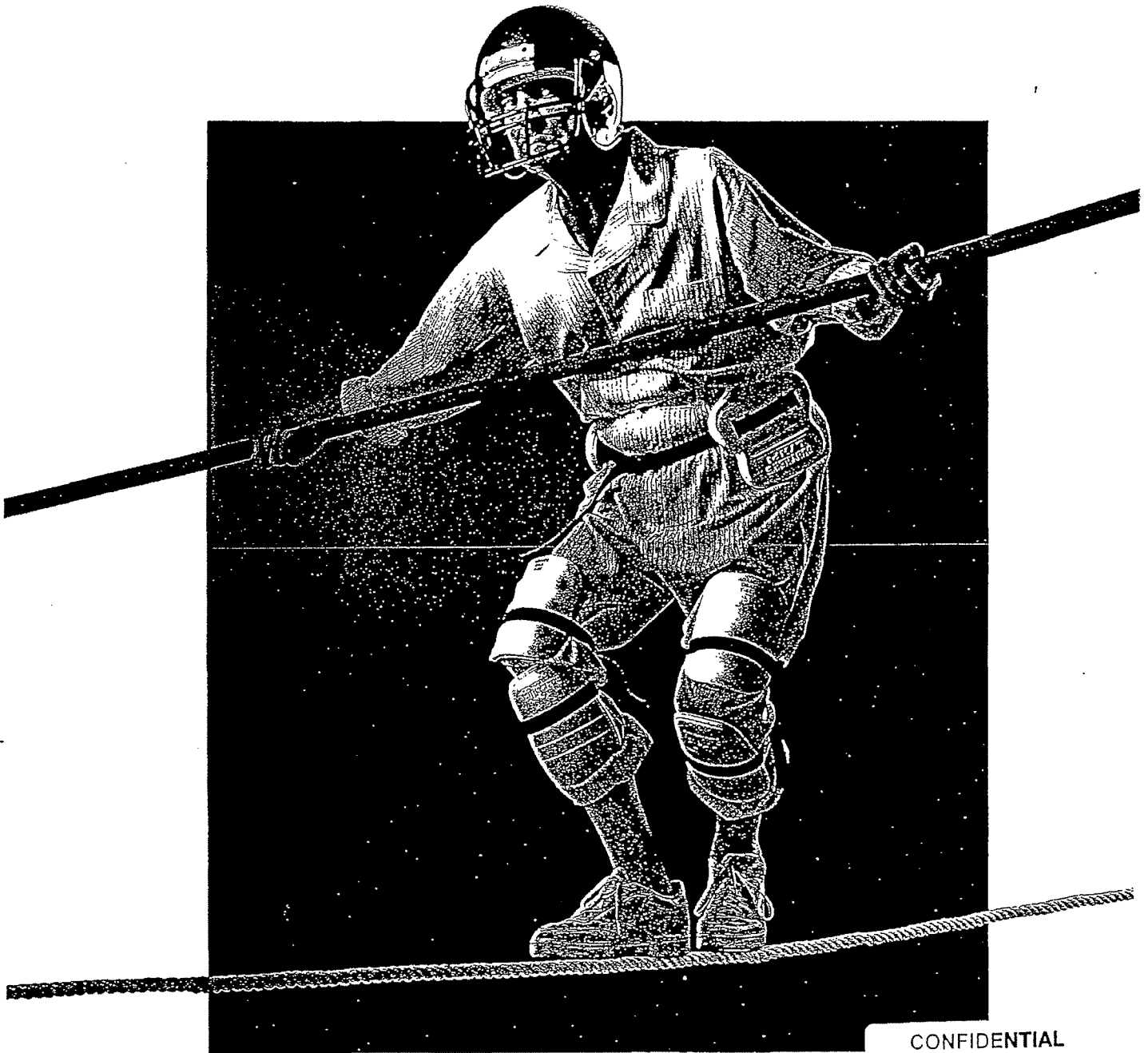
J.T. Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020 USA
 Fax 626-443-5014
 www.posey.com

PC 1080

M607 102704

EXHIBIT 19

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



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POSEY HIPSTERS HELP PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

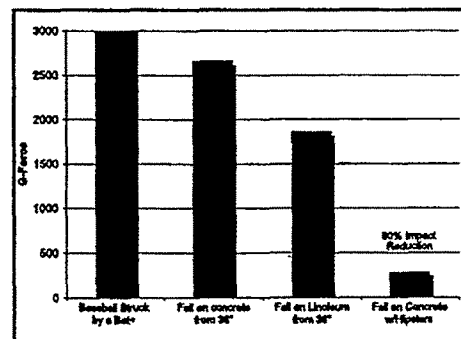
- High impact-absorbing viscoelastic or high durability pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing



Low Profile - All styles fit discreetly under men's and women's clothing.

PROVEN IMPACT REDUCTION

In an independent laboratory, simulating a fall from a height of 36 inches, the Hipsters reduced the impact force by over 90%.



Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company



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Tel: 1-626-443-3143 Fax: 626-443-5014

www.posey.com

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Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.



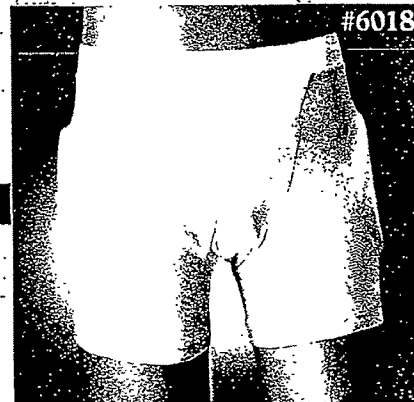
#6016 HIPSTERS STANDARD BRIEF

- Easily fits on over undergarments, or can be worn as underwear.
- Unisex sizing. Washable to 120°F, 50°C
- #6016H Standard Brief with high durability pads. Washable to 160°F, 71°C



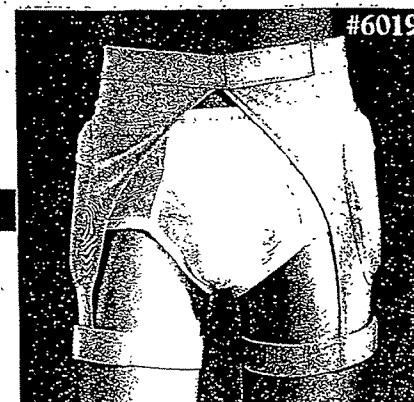
#6017 INCONTINENT BRIEF

- Snap front for easier application over diaper
- Unisex sizing. Washable to 120°F, 50°C
- #6017H Incontinent Brief with high durability pads. Washable to 160°F, 71°C



#6018 MALE FLY BRIEF

- Easily fits on over undergarments, or can be worn as underwear
- Fly front for improved compliance in male residents
- Washable to 120°F, 50°C



#6019 EZ-ON BRIEF

- Residents can wear their own undergarments
- Can be worn in the shower
- Hip pads can be removed for laundering or replacement.
- Washable to 120°F, 50°C

HOME WASHING INSTRUCTIONS:
All Posey Hipsters may be washed on "hot", dry on low, bleach as directed on container.

SIZING CHART		
Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 77cm	35" - 37" or 88 - 94cm
M	32" - 34" or 81 - 87cm	39" - 41" or 99 - 105cm
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Approximately 95% of hip fractures are caused by falls.

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Publication: The Lancet, volume 350, August 23, 1997

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Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

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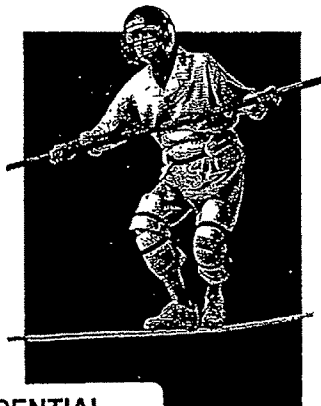
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Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protector for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Please detach and fax to 1-626-443-5014, or call us at 1-800-44-POSEY to start your trial

yes!

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Name _____
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Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:

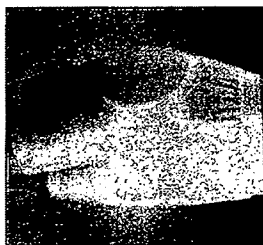


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EXHIBIT 20

POSEY HIPSTERS HELP PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

- High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing

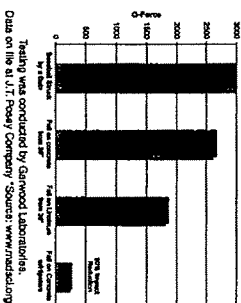


Low Profile - All styles fit discreetly under men's and women's clothing.



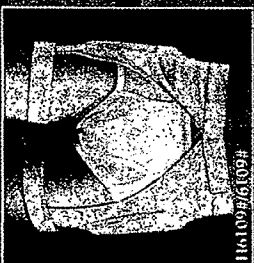
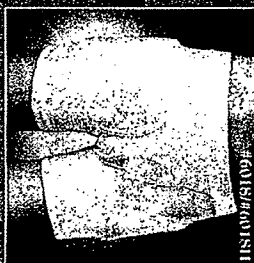
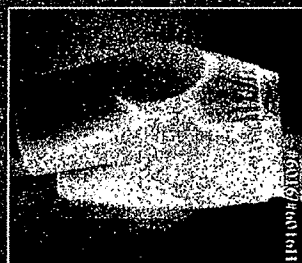
Posey Hipsters Proven Effective in Laboratory Test

Posey engaged Garwood Laboratories to conduct testing to select a comfortable and effective impact absorbing material. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36" or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660Gs and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force on average by 90% and showed excellent impact energy absorption.



Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.

Testing was conducted by Garwood Laboratories. Data on file at J.T. Posey Company. Source: www.makeliving



POSEY #6016 HIPSTERS STANDARD BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Unisex sizing.
- #6016H Standard Brief with high durability pads.

POSEY #6017 INCONTINENT BRIEF

- Snap front for easier application over diaper. Unisex sizing.
- #6017H Incontinent Brief with high durability pads.

POSEY #6018 MALE FLY BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Fly front for improved compliance in male residents.
- #6018H Male Fly Brief with high durability pads.

POSEY #6019 EZ-ON BRIEF

- Residents can wear their own undergarments.
- Can be worn in the shower.
- Hip pad can be removed for laundering or replacement.
- #6019H EZ-ON Brief with high durability pad.

Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

Posey High Durability Hipsters contain denser foam than the standard hipsters. This increased density aids in its ability to withstand higher hot washing and drying cycles.

LAUNDERING INSTRUCTIONS:

- Hipsters**
 - WASH HOT
 - BLEACH UNCLOROXED
 - DRY ON MEDIUM
- High Durability Hipsters**
 - WASH HOT
 - BLEACH UNCLOROXED
 - DRY ON HIGH

J.T. Posey Company
Arcadia, CA 91006 USA
Tel: 800-447-6739
www.posey.com

EXHIBIT 21



Posey® EZ On Hipsters™

In 1996, hospital admissions for hip fractures among people aged 65 and older totaled 340,000 and is expected to exceed 500,000 with a projected annual cost of \$240 billion by the year 2040.¹ Tragically, half of all older adults hospitalized for hip fractures cannot return home or live independently after their injury and about one quarter will die within one year due to the fracture or related complications.²

Several studies have documented the efficacy of external hip protectors in preventing hip fractures. These same studies also point out that patient compliance is a driving factor in product effectiveness. Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall. The low profile pads allow the Hipsters to be discreetly worn under clothing. These soft pads offer greater comfort when compared to hard shell style hip protectors. Patient comfort, coupled with the low profile design, helps increase patient compliance.

The EZ On Hipsters are applied around the waist and lower thigh using the hook-and-loop attachments, and allow the patients to wear their own undergarments. The mesh material is water permeable, allowing the EZ On Hipsters to be worn during bathing.

EZ On Hipsters feature removable pads. Although the pads are removable, the Hipsters can be laundered with the pads in place. Removing the pads prior to laundering will help prolong the life of the product.

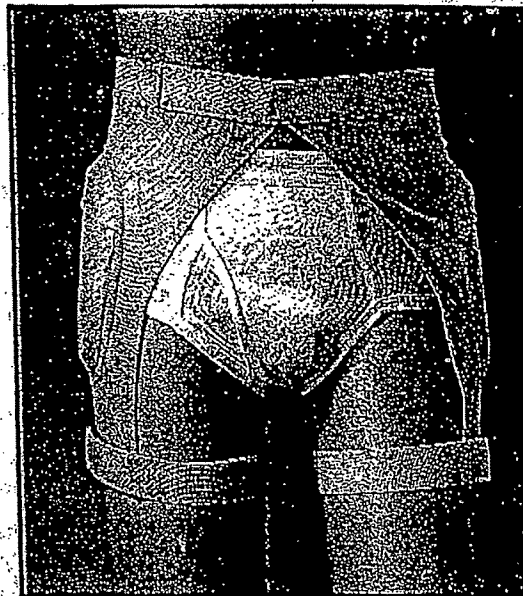
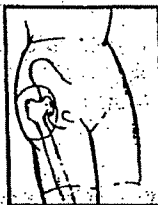
While no product can provide complete protection from hip fractures, Posey Hipsters will help to minimize the potential for damage that can occur from a fall.

#6019 EZ On Hipsters

#6008 Replacement Pads, 1 pair

Application Instructions

1. Unfasten the hook and loop at the waist and thighs.
2. Wrap the garment around your waist. The labels should be oriented towards the back and on the inside of the waistband.
3. Fasten the hook and loop at the front of your waist. The waistband should be securely fastened to allow minimal shifting of the garment but should not feel tight or restrictive.
4. Pull the left panel taut over the left hip and thigh. The pad should be positioned directly over the hip joint.
5. Secure around the lower thigh using the hook and loop attachment. The elastic band should be tight enough to prevent the pad from sliding out of place without restricting circulation.
6. Repeat steps 4 and 5 on right side.



#6019

Sizing Chart

Size	Waist Measurement	Hip Measurement
S	28" - 30"	35" - 37"
M	32" - 34"	39" - 41"
L	36" - 38"	43" - 45"
XL	40" - 42"	47" - 49"
XXL	44" - 48"	51" - 53"

WARNING

Due to the random possibilities of fall characteristics, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

WARNING

- Posey Hipsters contain foam pads that are sealed in a pouch to protect the foam.
- If the pouch is cut or the seal is broken in laundering, moisture will enter the pouch and compromise the impact absorption quality of the foam.
- Test pouch and foam integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel air or liquid escaping, or the foam feels soft and spongy, the pouch is damaged.
- Remove the damaged pouch and replace with a new one.

Laundering Instructions

For longest garment life wash hot, dry on low and bleach as directed on container. "Studies have shown that a satisfactory reduction of microbial contamination can be achieved at water temperatures lower than 160°F if laundry chemicals suitable for low-temperature washing are used at proper concentrations. In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Instructions of the manufacturers of the machine and the detergent or wash additive should be followed closely." Washing and drying cycles with higher temperatures will shorten garment life.

- If hook and loop does not adhere, it is most likely due to a collection of lint. Clean hook by brushing with a stiff brush.
- If pads are removed, wipe clean with mild liquid disinfectant before replacing in the pants.



¹ Centers for Disease Control and Prevention, 3 Aug 2001, [www.cdc.gov/2Rubenstein_Lawrence_M.D.,_M.P.H._\(2000\)_Hip_Protectors_-_A_Breaching_in_Fracture_Prevention_The_New_England_Journal_of_Medicine_3_Center_for_Disease_Control_and_Prevention_27_Aug_2004](http://www.cdc.gov/2Rubenstein_Lawrence_M.D.,_M.P.H._(2000)_Hip_Protectors_-_A_Breaching_in_Fracture_Prevention_The_New_England_Journal_of_Medicine_3_Center_for_Disease_Control_and_Prevention_27_Aug_2004)

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EU AUTH. PERSON: (MDD 93/42/EEC) MOSS GmbH, Burckhardtstr. 1, D-30163, Hannover, Germany

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PC 1071

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Publication: The Lancet, volume 350, August 23, 1997

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Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

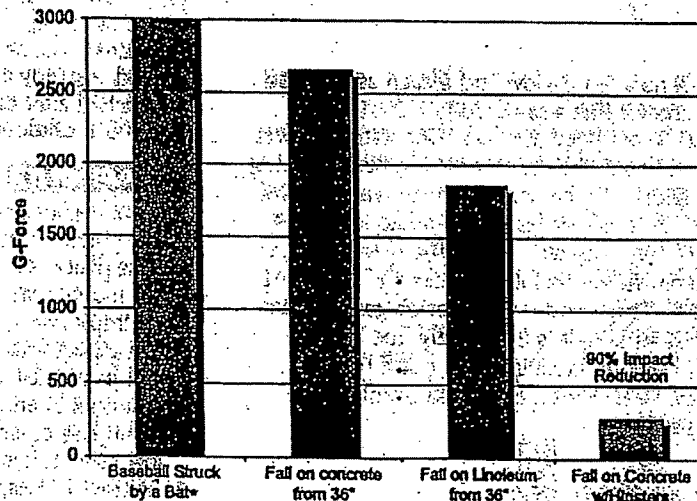
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Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120lb subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force by 90% and showed excellent impact energy absorption.



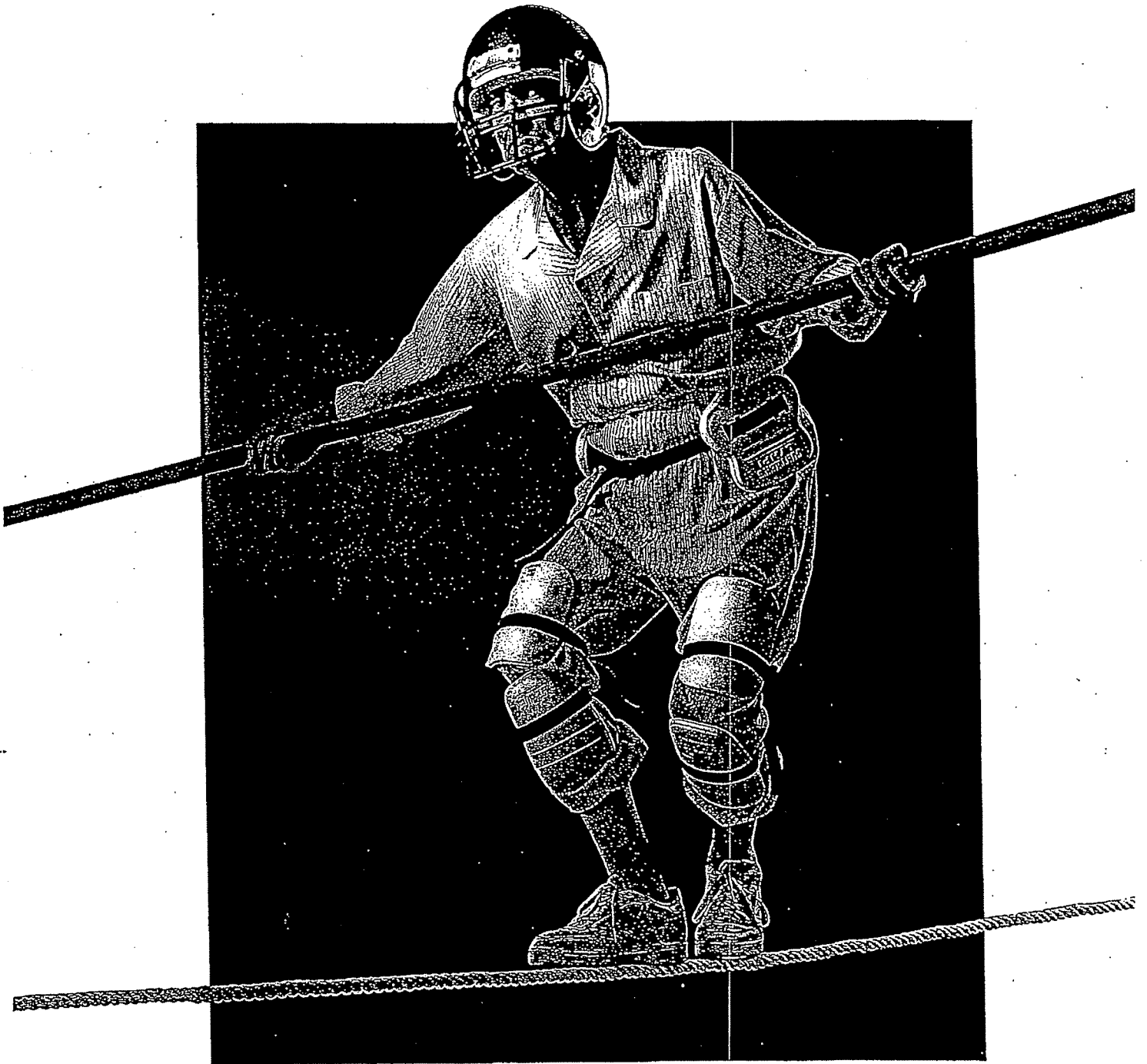
Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company
 *Source: www.madscl.org

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EXHIBIT 22

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



Posey®

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POSEY HIPSTERS HELP PROTECT AGAINST INJURY FROM FALLS



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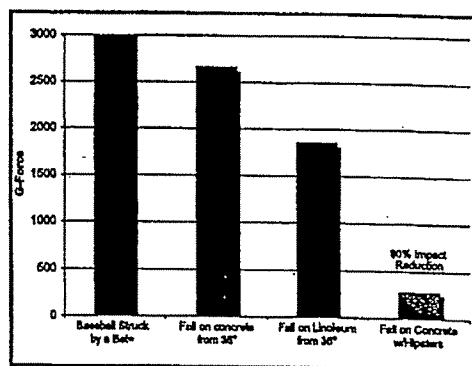
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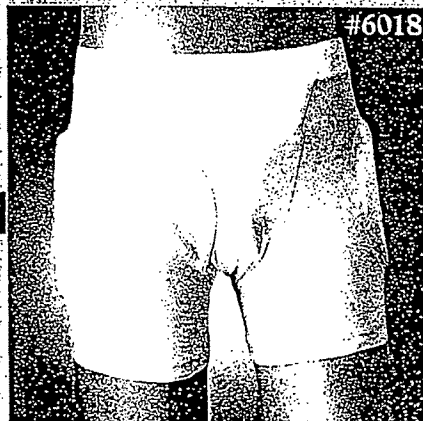
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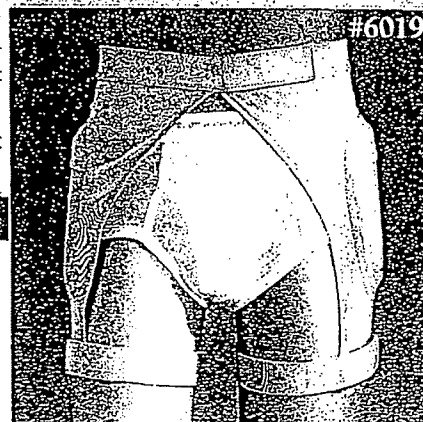
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#6019 EZ-ON BRIEF

- Residents can wear their own undergarments
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- Washable to 120°F, 50°C

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 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

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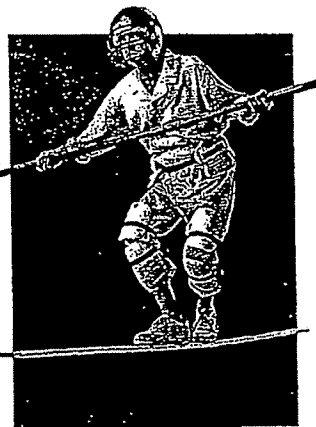
Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protector for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Please detach and fax to 1-626-443-5014, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.



Name _____
 Title _____
 Institution _____
 Address _____
 City _____ State _____ Zip _____
 Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



J.T. Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020 USA
 Fax 626-443-5014
 www.posey.com

PC 1742

M607 102704

EXHIBIT 23

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



Posey[®]

FIRST IN FALL PREVENTION

PC 1743

POSEY HIPSTERS HELP PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

- ▶ High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- ▶ Soft, comfortable pads improve compliance versus hard-shelled products
- ▶ Washable to CDC standards for soiled linen without removing the pads
- ▶ 100% latex-free
- ▶ Five sizes for correct fit
- ▶ Discreet, low-profile pads are virtually undetectable under clothing

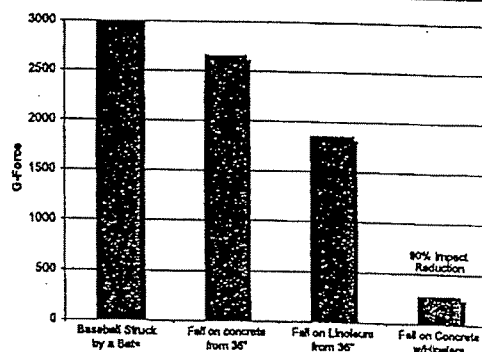


Low Profile - All styles fit discreetly under men's and women's clothing.



Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force on average by 90% and showed excellent impact energy absorption.



Testing was conducted by Garwood Laboratories.
Data on file at J.T. Posey Company *Source: www.madsci.org

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.

PC 1744



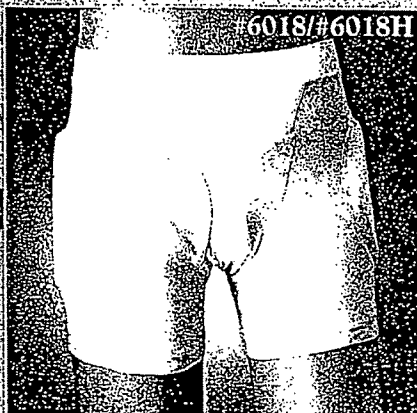
POSEY #6016 HIPSTERS STANDARD BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Unisex sizing.
- NEW** ➤ #6016H Standard Brief with high durability pads.



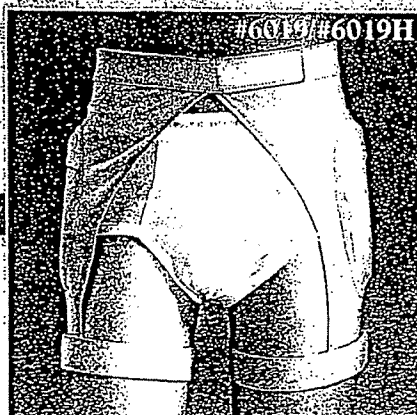
POSEY #6017 INCONTINENT BRIEF

- Snap front for easier application over diaper. Unisex sizing.
- NEW** ➤ #6017H Incontinent Brief with high durability pads.



POSEY #6018 MALE FLY BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Fly front for improved compliance in male residents.
- NEW** ➤ #6018H Male Fly Brief with high durability pads.









POSEY #6019 EZ-ON BRIEF

- Residents can wear their own undergarments.
- Can be worn in the shower.
- Hip pads can be removed for laundering or replacement.
- NEW** ➤ #6019H EZ-ON Brief with high durability pad.

SIZING CHART		
Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

Posey High Durability Hipsters contain denser foam than the standard Hipsters. This increased density aids in its ability to withstand higher hot washing and drying cycles.

LAUNDERING INSTRUCTIONS:

Hipsters	 WASH HOT	 BLEACH AS DIRECTED ON CONTAINER	 DRY ON MEDIUM
High Durability Hipsters	 WASH HOT 25 MIN.	 BLEACH AS DIRECTED ON CONTAINER	 DRY ON HIGH



J T Posey Company
Arcadia, CA 91006 USA
Tel: 800-447-6739
www.posey.com

PC 1745

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

Title: *Prevention Of Hip Fracture in Elderly People*
Author: Pekka Kannus, M.D., Ph.D., et al
Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protectors for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Posey Hipsters can be washed according to CDC guidelines for soiled linen. Hipsters with high durability pads are designed to withstand laundering in large capacity machines at higher temperature hot (180°) washing and high temperature drying cycles.

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma.

Please detach and fax to 1-626-443-5014, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.



Name _____
 Title _____
 Institution _____
 Address _____
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 Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



J.T. Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020 USA
 Fax 626-443-5014
 www.posey.com

PC 1746

M607 010305

EXHIBIT 24

FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



PROOF

RENTALS

☐ CHARTER NEW PROOF

☒ OK, THIS IS

Wesley *3/10/05*



Posey®

FIRST IN FALL PREVENTION

PC 1081

POSEY HIPSTERS HELP PROTECT AGAINST INJURY FROM FALLS



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

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- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing

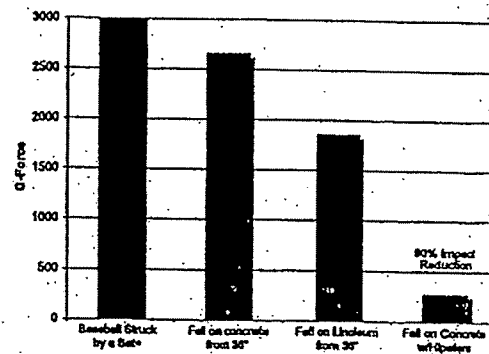


Low Profile - All styles fit discreetly under men's and women's clothing.



Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force on average by 90% and showed excellent impact energy absorption.



Testing was conducted by Garwood Laboratories.
Data on file at J.T. Posey Company *Source: www.madsci.org

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.

PC 1082



POSEY #6016 HIPSTERS STANDARD BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Unisex sizing.
- #6016H Standard Brief with high durability pads.



POSEY #6017 INCONTINENT BRIEF

- Snap front for easier application over diaper. Unisex sizing.
- #6017H Incontinent Brief with high durability pads.



POSEY #6018 MALE FLY BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Fly front for improved compliance in male residents.
- #6018H Male Fly Brief with high durability pads.



POSEY #6019 EZ-ON BRIEF

- Residents can wear their own undergarments.
- Can be worn in the shower.
- Hip pads can be removed for laundering or replacement.
- #6019H EZ-ON Brief with high durability pad.



SIZING CHART

Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

Posey High Durability Hipsters contain denser foam than the standard Hipsters. This increased density aids in its ability to withstand higher hot washing and drying cycles.

LAUNDERING INSTRUCTIONS:

Hipsters	WASH HOT	BLEACH AS DIRECTED ON CONTAINER	DRY ON MEDIUM
High Durability Hipsters	WASH HOT 25 MIN.	BLEACH AS DIRECTED ON CONTAINER	DRY ON HIGH



J T Posey Company
Arcadia, CA 91006 USA
Tel: 800-447-6739
www.posey.com

PC 1083

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
Publication: The Lancet, volume 350, August 23, 1997
Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."
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Author: Pekka Kannus, M.D., Ph.D., et al
Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000
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Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only persons with a high degree of compliance can benefit from hip protectors. Persons who do not wear hip protectors cannot benefit from them." "The use of hip protectors can reduce the risk of hip fractures in frail elderly adults."

Posey Hipsters can be washed according to CDC guidelines for soiled linen. Hipsters with high durability pads are designed to withstand laundering in large capacity machines at higher temperature hot (180°) washing and high temperature drying cycles.

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma.

Please detach and fax to 1-626-443-5014, or call us at 1-800-44-POSEY to start your trial

yes!

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 Title _____
 Institution _____
 Address _____
 City _____ State _____ Zip _____
 Telephone () _____ Best time to call _____ am _____ pm

Fax or mail to:



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 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020 USA
 Fax 626-443-5014
 www.posey.com

PC 1084

M609 010305

EXHIBIT 25

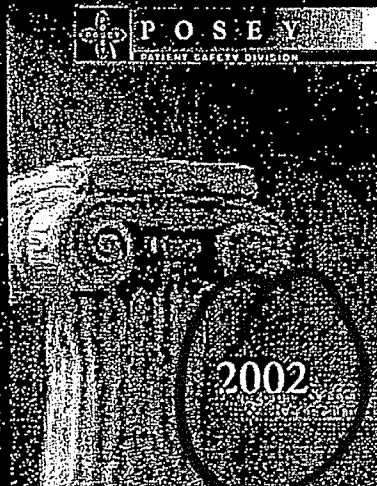
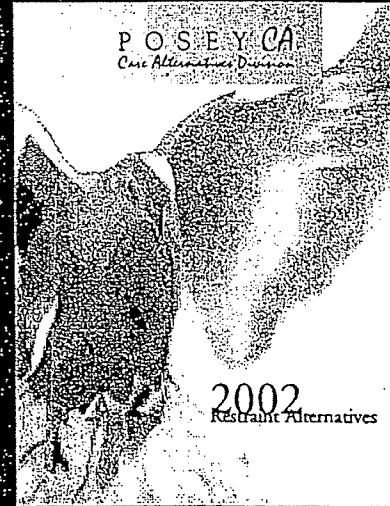
POSEY CA
Care Alternatives Division

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POSEY
PATIENT SAFETY DIVISION

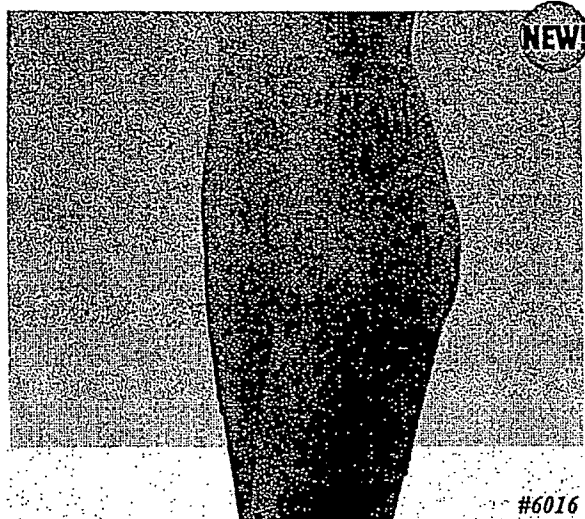
PC 1804

P O S E Y C A

Alternatives in Care

FALL PREVENTION**POSEY HIPSTER III**

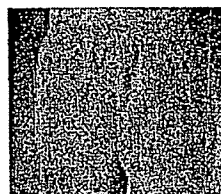
Indications: Patients at risk for falling; those at risk for hip fracture.



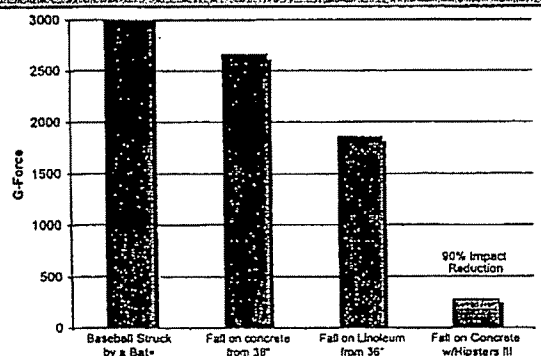
Several studies have documented the efficacy of external hip protectors in preventing hip fractures. The Posey Hipster III features impact absorbing pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall. The brief is made from comfortable poly-cotton-Lycra® with a low-profile pad positioned over each hip. These low profile pads are sewn into a slim fitting brief allowing the Hipster III to be discreetly worn under clothing. The one-piece design allows for easy home or institutional laundering.

Hipster III is available in two styles; standard unisex and incontinent models. The standard unisex brief easily slips on over undergarments or can be worn as underwear. The incontinent brief features a snap front for easier application over adult diapers. The Hipster III fits comfortably around the patient's waist and features a latex-free elastic waistband. 47% polyester, 47% cotton, 6% Lycra. Latex-free.

CAT. #	STYLE	
6016	Hipsters III Standard Brief (Replaces Posey #6010 unisex Hipster brief)	
6017	Hipsters III Incontinent Brief (Replaces Posey #6011 Incontinent Hipster II brief)	
SIZE	WAIST SIZE	HIP SIZE
S	28-30"	35-37"
M	32-34"	39-41"
L	36-38"	43-45"
XL	40-42"	47-49"
XXL	44-46"	51-53"



Low Profile - Both styles fit discreetly under clothing.

Posey Hipsters Proven Effective in Laboratory Test

Testing was conducted by Garwood Laboratories, July 2001. Data on file at J.T. Posey Company

An independent laboratory study was conducted to determine the most effective commercially available impact absorbing material as of July 2001. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36" or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660 G's and, for purposes of comparison, is just slightly less impact force than a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster III reduced the impact force by 90% and showed excellent impact energy absorption.

*Source: www.madscl.org.

1-800-44-POSEY

800-767-3933 fax

25

PC 1805

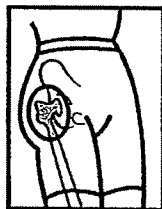
EXHIBIT 26



Posey® Hipsters™

Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall.

Hipsters are available in innerwear and outerwear models. Innerwear garments are made of a polyester/cotton/Lycra® blend. Outerwear garments are made of a soft, preshrunk polyester/cotton blend and are available in a choice of deep navy or ash gray.



Hipsters are available in six styles:

- Standard Unisex Brief easily fits over undergarments, or can be worn as underwear.
- Incontinent Brief features a snap front for easier application over adult diapers.
- Male Fly Brief easily fits over undergarments, or can be worn as underwear.
- EZ-On Brief features a crotchless design that allows patients to wear their own undergarments. The mesh material is water permeable, allowing the EZ On Hipster to be worn during bathing.
- Sweatpants that provide added comfort and warmth.
- Shorts that provide added comfort.

Hipsters Sweatpants and Shorts feature high durability padding. All other models are available with original foam padding, or high durability padding designed to withstand laundering in large capacity machines at higher temperature hot washing cycles.

- REF 6016 Hipsters, Standard Brief
- REF 6017 Hipsters, Incontinent Brief
- REF 6018 Hipsters, Male Fly Brief
- REF 6019 Hipsters, EZ On
- REF 6008 Replacement Pads, 1 pair
- REF 6016H Hipsters, High Durability Pads, Standard Brief
- REF 6017H Hipsters, High Durability Pads, Incontinent Brief
- REF 6018H Hipsters, High Durability Pads, Male Fly Brief
- REF 6019H Hipsters, High Durability Pads, EZ On
- REF 6008H Replacement High Durability Pads, 1 pair
- REF 6007A Hipsters Shorts, High Durability Pads, Ash Gray
- REF 6007N Hipsters Shorts, High Durability Pads, Navy
- REF 6009A Hipsters Sweatpants, High Durability Pads, Ash Gray
- REF 6009N Hipsters Sweatpants, High Durability Pads, Navy

Application Instructions:

Standard, Male Fly, Incontinent Brief, Sweatpants and Shorts

With the Posey label in the Back, step into the garment and gently slide it up over the hips. Adjust to assure that the foam pads are properly aligned with and cover the hip joint.

EZ On Model

1. Unfasten the hook and loop at the waist and thighs.

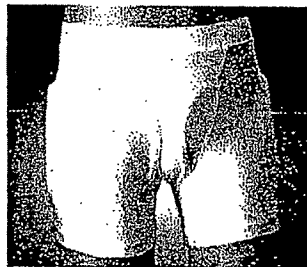
1 Center for Disease Control and Prevention, 27 Aug 2004, www.cdc.gov/ncidod/hip/SterileLaundry.htm



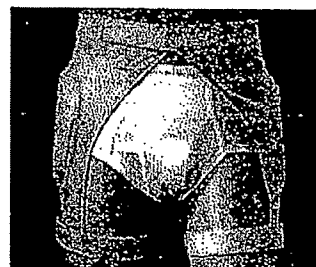
#6016 / #6016H



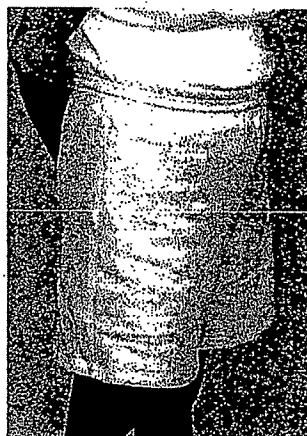
#6017 / #6017H



#6018 / #6018H



#6019 / #6019H



#6007A



#6009A

2. Wrap the garment around your waist. The labels should be at the back and on the inside of the waistband.
3. Fasten the hook and loop at the front of your waist. The waistband should be securely fastened to allow minimal shifting of the garment, but should not feel tight or restrictive.
4. Pull the left panel taut over the left hip and thigh. The pad should be positioned directly over the hip joint.
5. Secure the leg band around the lower thigh using the hook and loop attachment. The elastic band should be tight enough to prevent the pad from sliding out of place without restricting circulation.
6. Repeat steps 4 and 5 on the right side.



J.T. Posey Company • 5635 Peck Road • Arcadia, CA 91006-0020 USA
Phone 1-800-447-6739 • Fax: 1-800-767-3933 • www.posey.com



MOSS
Buckhardtstr. 1,
D-30163, Hannover, Germany
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M6139 042805

PC 0402

Laundering Instructions

Posey Hipster with High Durability pads are designed to withstand laundering in higher temperature hot washing cycles. Hipsters can be washed according to CDC guidelines for soiled linen. However, using the lower temperature washing and drying cycle for non-contaminated linen will prolong product life. "Studies have shown that a satisfactory reduction of microbial contamination can be achieved at water temperatures lower than 160°F if laundry chemicals suitable for lower-temperature washing are used at proper concentrations. In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Manufacturers instructions for the machine and the detergent or wash additive should be followed closely."

- Adhere hook and loop straps before laundering to prevent lint build-up on hook during laundry cycle. If hook and loop does not adhere due to lint, clean hook material with a stiff brush.
- If EZ On pads are removed, wipe clean with mild, liquid disinfectant before replacing in the pants.

Hipsters**High Durability Hipsters**

SIZING CHART		
Size	Waist Measurement	Hip Measurement
XS	26" - 28" or 66 - 71cm	33" - 35" or 83 - 88cm
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

Note: Sweatpants and shorts are available in sizes XS - XL only.

Clinical References Supporting the Use of Hip Protectors

Title: **External Hip Protectors to Prevent Osteoporotic Hip Fractures**
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

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⚠ WARNING

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

Posey Hipsters contain foam pads that are sealed in a pouch to protect it from water. If the pouch is cut or the seal is broken during laundering, moisture will enter the pouch and may result in waterlogged foam. Waterlogged foam encased in the pouch may promote the growth of bacteria.

- Test the foam and pouch integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel liquid or air escaping, the pouch is damaged.
- If the pouch is damaged, discontinue use and discard.

EXHIBIT 27

5-17.05 0923

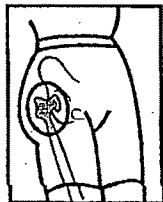


Posey® Hipsters™

Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall.

Hipsters are available in four styles:

- Standard Unisex Brief easily fits over undergarments, or can be worn as underwear.
- Incontinent Brief features a snap front for easier application over adult diapers.
- Male Fly Brief easily fits over undergarments, or can be worn as underwear.
- EZ-On Brief features a crotchless design that allows patients to wear their own undergarments. The mesh material is water permeable, allowing the EZ On Hipster to be worn during bathing.



All Hipsters are available with original foam padding, or high durability padding designed to withstand laundering in large capacity machines at higher temperature hot washing cycles.

- REF 6016 Hipsters, Standard Brief
 REF 6017 Hipsters, Incontinent Brief
 REF 6018 Hipsters, Male Fly Brief
 REF 6019 Hipsters, EZ On
 REF 6008 Replacement Pads, 1 pair
 REF 6016H Hipsters, High Durability Pads, Standard Brief
 REF 6017H Hipsters, High Durability Pads, Incontinent Brief
 REF 6018H Hipsters, High Durability Pads, Male Fly Brief
 REF 6019H Hipsters, High Durability Pads, EZ On
 REF 6008H Replacement High Durability Pads, 1 pair

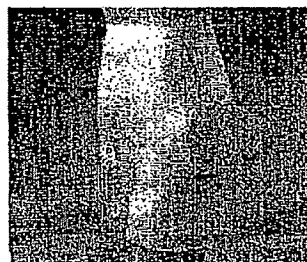
Application Instructions:

Standard, Male Fly and Incontinent Brief Models

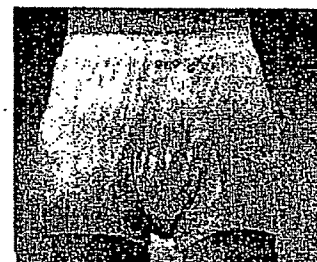
With the Posey label in the back, put the Hipsters on as you would a pair of shorts, sliding them gently over the hips. Adjust to assure that the foam pads are properly aligned with and cover the hip joint.

EZ On Model

1. Unfasten the hook and loop at the waist and thighs.
2. Wrap the garment around your waist. The labels should be at the back and on the inside of the waistband.
3. Fasten the hook and loop at the front of your waist. The waistband should be securely fastened to allow minimal shifting of the garment, but should not feel tight or restrictive.
4. Pull the left panel taut over the left hip and thigh. The pad should be positioned directly over the hip joint.
5. Secure the leg band around the lower thigh using the hook and loop attachment. The elastic band should be tight enough to prevent the pad from sliding out of place without restricting circulation.
6. Repeat steps 4 and 5 on the right side.



#6016 / #6016H



#6017 / #6017H



#6018 / #6018H



#6019 / #6019H

Laundering Instructions

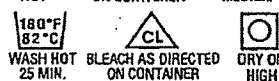
Posey Hipster with High Durability pads are designed to withstand laundering in higher temperature hot washing cycles. Hipsters can be washed according to CDC guidelines for soiled linen. However, using the lower temperature washing and drying cycle for non-contaminated linen will prolong product life. "Studies have shown that a satisfactory reduction of microbial contamination can be achieved at water temperatures lower than 160°F if laundry chemicals suitable for lower-temperature washing are used at proper concentrations. In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Manufacturers instructions for the machine and the detergent or wash additive should be followed closely."

- Adhere hook and loop straps before laundering to prevent lint build-up on hook during laundry cycle. If hook and loop does not adhere due to lint, clean hook material with a stiff brush.
- If EZ On pads are removed, wipe clean with mild, liquid disinfectant before replacing in the pants.

Hipsters



High Durability Hipsters



Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

1 Center for Disease Control and Prevention, 27 Aug 2004, www.cdc.gov/ncidod/dhqp/HipSterileLaundry.htm

J.T. Posey Company

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EC REP MDSS
 Burckhardtstr. 1,
 30163, Hannover, Germany
 M6139



PC 0404

⚠ WARNING

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

Posey Hipsters contain foam pads that are sealed in a pouch to protect it from water. If the pouch is cut or the seal is broken during laundering, moisture will enter the pouch and may result in waterlogged foam. Waterlogged foam encased in the pouch may promote the growth of bacteria.

- Test the foam and pouch integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel liquid or air escaping, the pouch is damaged.
- If the pouch is damaged, discontinue use and discard.

Clinical References Supporting the Use of Hip Protectors

Title: *External Hip Protectors to Prevent Osteoporotic Hip Fractures*
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

Title: *Prevention Of Hip Fracture in Elderly People*
 Author: Pekka Kannus, M.D., Ph.D., et al
 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

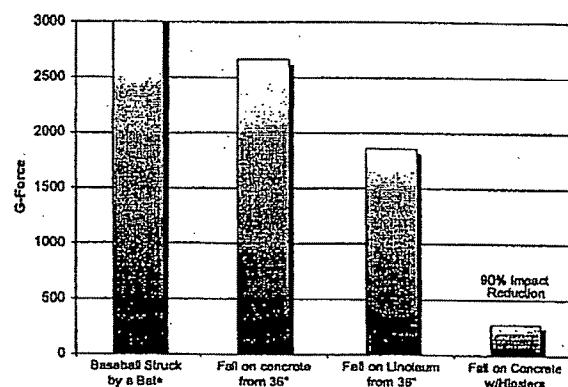
Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protectors. Only 41 persons need to use the hip protector for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660Gs and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force on average by 90% and showed excellent impact energy absorption.



Testing was conducted by Garwood Laboratories.
 Data on file at J.T. Posey Company *Source: www.madsci.org

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PC 0405

EXHIBIT 28

5.17.05 0923

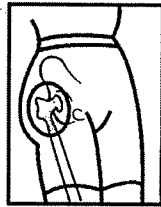


Posey® Hipsters™

Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall.

Hipsters are available in four styles:

- Standard Unisex Brief easily fits over undergarments, or can be worn as underwear.
- Incontinent Brief features a snap front for easier application over adult diapers.
- Male Fly Brief easily fits over undergarments, or can be worn as underwear.
- EZ-On Brief features a crotchless design that allows patients to wear their own undergarments. The mesh material is water permeable, allowing the EZ On Hipster to be worn during bathing.



All Hipsters are available with original foam padding, or high durability padding designed to withstand laundering in large capacity machines at higher temperature hot washing cycles.

REF 6016 Hipsters, Standard Brief

REF 6017 Hipsters, Incontinent Brief

REF 6018 Hipsters, Male Fly Brief

REF 6019 Hipsters, EZ On

REF 6008 Replacement Pads, 1 pair

REF 6016H Hipsters, High Durability Pads, Standard Brief

REF 6017H Hipsters, High Durability Pads, Incontinent Brief

REF 6018H Hipsters, High Durability Pads, Male Fly Brief

REF 6019H Hipsters, High Durability Pads, EZ On

REF 6008H Replacement High Durability Pads, 1 pair

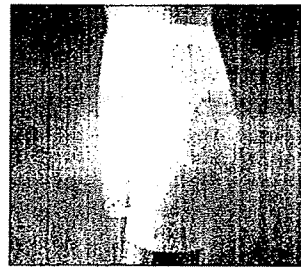
Application Instructions:

Standard, Male Fly and Incontinent Brief Models

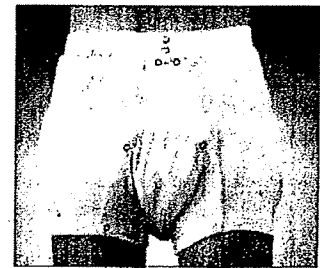
With the Posey label in the back, put the Hipsters on as you would a pair of shorts, sliding them gently over the hips. Adjust to assure that the foam pads are properly aligned with and cover the hip joint.

EZ On Model

1. Unfasten the hook and loop at the waist and thighs.
2. Wrap the garment around your waist. The labels should be at the back and on the inside of the waistband.
3. Fasten the hook and loop at the front of your waist. The waistband should be securely fastened to allow minimal shifting of the garment, but should not feel tight or restrictive.
4. Pull the left panel taut over the left hip and thigh. The pad should be positioned directly over the hip joint.
5. Secure the leg band around the lower thigh using the hook and loop attachment. The elastic band should be tight enough to prevent the pad from sliding out of place without restricting circulation.
6. Repeat steps 4 and 5 on the right side.



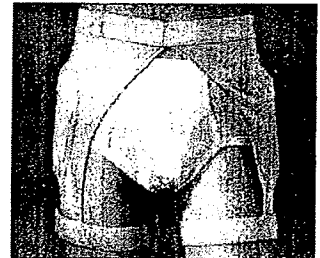
#6016 / #6016H



#6017 / #6017H



#6018 / #6018H



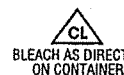
#6019 / #6019H

Laundering Instructions

Posey Hipster with High Durability pads are designed to withstand laundering in higher temperature hot washing cycles. Hipsters can be washed according to CDC guidelines for soiled linen. However, using the lower temperature washing and drying cycle for non-contaminated linen will prolong product life. "Studies have shown that a satisfactory reduction of microbial contamination can be achieved at water temperatures lower than 160°F if laundry chemicals suitable for lower-temperature washing are used at proper concentrations. In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Manufacturers instructions for the machine and the detergent or wash additive should be followed closely."

- Adhere hook and loop straps before laundering to prevent lint build-up on hook during laundry cycle. If hook and loop does not adhere due to lint, clean hook material with a stiff brush.
- If EZ On pads are removed, wipe clean with mild, liquid disinfectant before replacing in the pants.

Hipsters



High Durability Hipsters



SIZING CHART		
Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

1 Center for Disease Control and Prevention, 27 Aug 2004, www.cdc.gov/ncidod/hip/Sterile/laundry.htm

J.T. Posey Company

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HS2 000058

⚠ WARNING

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

Posey Hipsters contain foam pads that are sealed in a pouch to protect it from water. If the pouch is cut or the seal is broken during laundering, moisture will enter the pouch and may result in waterlogged foam. Waterlogged foam encased in the pouch may promote the growth of bacteria.

- Test the foam and pouch integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel liquid or air escaping, the pouch is damaged.
- If the pouch is damaged, discontinue use and discard.

Clinical References Supporting the Use of Hip Protectors

Title: **External Hip Protectors to Prevent Osteoporotic Hip Fractures**
 Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
 Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

Title: **Prevention Of Hip Fracture in Elderly People**
 Author: Pekka Kannus, M.D., Ph.D., et al
 Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

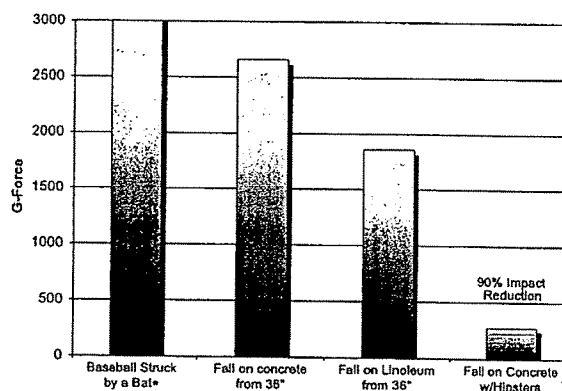
Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protectors. Only 41 persons need to use the hip protector for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Posey Hipsters Proven Effective in Laboratory Test

An independent laboratory study was conducted to determine the most effective impact absorbing material. A test was created that would simulate a fall causing direct impact to the greater trochanter. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36", or the estimated height of the hip above the floor for a typical nursing home resident. The baseline measurement of impact force was determined to be a fall directly onto concrete. The G-Force of a fall under this scenario was 2,660Gs and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force on average by 90% and showed excellent impact energy absorption.



Testing was conducted by Garwood Laboratories.
 Data on file at J.T. Posey Company *Source: www.madsci.org

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HS2 000059

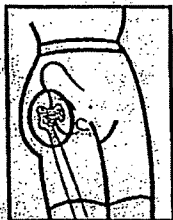
EXHIBIT 29



Posey® Hipsters™

Posey Hipsters feature impact absorbing, soft foam pads over the critical fracture area to help minimize potential damage, including hip fractures that can occur from a fall.

Hipsters are available in innerwear and outerwear models. Innerwear garments are made of a polyester/cotton/Lycra® blend. Outerwear garments are made of a soft, preshrunk polyester/cotton blend and are available in a choice of navy blue or ash gray.



Hipsters are available in eight styles:

- Standard Unisex-Brief easily fits over undergarments, or can be worn as underwear.
- Incontinent Brief features a snap front for easier application over adult diapers.
- Male Fly Brief easily fits over undergarments, or can be worn as underwear.
- EZ-On Brief features a crotchless design that allows patients to wear their own undergarments. The mesh material is water permeable, allowing the EZ-On Hipster to be worn during bathing.
- Women's Brief has the same look as regular day-to-day panties and is made of a soft cotton blend material.
- Men's Brief mirror men's regular briefs and are made of a soft gray cotton blend material.
- Sweatpants provide added comfort and warmth.
- Shorts provide added comfort.

Hipsters Sweatpants and Shorts feature high durability padding. All other models are available with original foam padding, or high durability padding designed to withstand laundering in large capacity machines at higher temperature hot washing cycles.

REF 6016 Hipsters, Standard Brief

REF 6017 Hipsters, Incontinent Brief

REF 6018 Hipsters, Male Fly Brief

REF 6019 Hipsters, EZ-On

REF 6008 Replacement Pads, 1 pair

REF 6016H Hipsters, High Durability Pads, Standard Brief

REF 6017H Hipsters, High Durability Pads, Incontinent Brief

REF 6018H Hipsters, High Durability Pads, Male Fly Brief

REF 6019H Hipsters, High Durability Pads, EZ-On

REF 6008H Replacement High Durability Pads, 1 pair

REF 6007A Hipsters Shorts, High Durability Pads, Ash Gray

REF 6007N Hipsters Shorts, High Durability Pads, Navy

REF 6009A Hipsters Sweatpants, High Durability Pads, Ash Gray

REF 6009N Hipsters Sweatpants, High Durability Pads, Navy

REF 6030 Hipsters Women's Brief

REF 6031 Hipsters Men's Brief

PC 1051

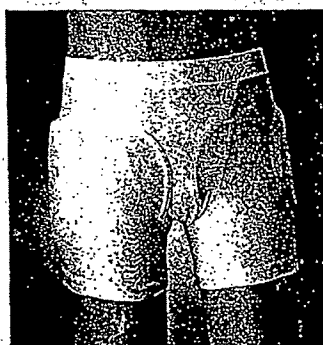
INNERWEAR



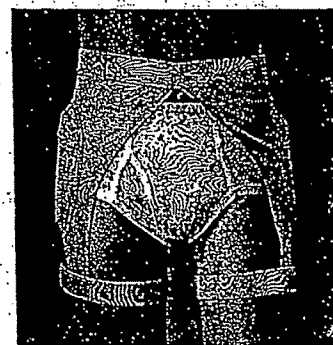
#6016 / #6016H



#6017 / #6017H



#6018 / #6018H



#6019 / #6019H



#6030



#6031

Application Instructions:

Standard, Male Fly, Incontinent Brief, Sweatpants and Shorts, Women's and Men's Briefs

With the Posey label in the Back, step into the garment and gently slide it up over the hips. Adjust to assure that the foam pads are properly aligned with and cover the hip joint.

EZ-On Model

1. Unfasten the hook and loop at the waist and thighs.
2. Wrap the garment around your waist. The label should be at the back and on the inside of the waistband.



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M6135 0831C

3. Fasten the hook and loop at the front of your waist. The waist-band should be securely fastened to allow minimal shifting of the garments, but should not feel tight or restrictive.
4. Pull the left panel taut over the left hip and thigh. The pad should be positioned directly over the hip joint.
5. Secure the leg band around the lower thigh using the hook and loop attachment. The elastic band should be tight enough to prevent the pad from sliding out of place, without restricting circulation.
6. Repeat steps 4 and 5 on the right side.

Laundering Instructions

All Posey Hipsters can be washed according to CDC guidelines for healthcare facilities. Hipsters with high durability pads are designed to withstand laundering in large capacity machines at higher temperature hot 180°F (82°C) washing and high temperature drying cycles. Standard Hipsters will wash at 120°F (50°C) and dry at medium temperatures. The complete Guidelines for Laundry in Health Care facilities are available at: www.cdc.gov/od/ohs/biosfty/laundry.htm. The CDC states that "the risk of actual disease transmission from soiled linen is negligible" and "recent studies have shown that a satisfactory reduction of microbial contamination can be achieved at lower water temperatures of 72°-122°F (22°-50°C) when the cycling of the washer, the wash formula, and the amount of chlorine bleach are carefully monitored and controlled." CDC offers the following advice for home care, "In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Manufacturers instructions for the machine and the detergent or wash additive should be followed closely." Lower wash/dry temperatures will prolong garment life.

- Adhere hook and loop straps before laundering to prevent lint build-up on hook during laundry cycle. If hook and loop does not adhere due to lint, clean hook material with a stiff brush.
- LEZ-On pads are removed, wipe clean with mild, liquid disinfectant before replacing in the pants.

Hipsters



High Durability Hipsters



www.cdc.gov/ncidod/hip/Sterile/laundry.htm

OUTERWEAR



#6007A



#6007N



#6009A



#6009N

SIZING CHART

Size	Waist Measurement	Hip Measurement
XS	26" - 28" or 66 - 71cm	33" - 35" or 83 - 88cm
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

Note: Sweatpants and shorts are available in sizes XS - XL only.

WARNING

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma. The skin under the pants should be assessed regularly and Hipsters should be changed and washed after each incontinent episode to prevent skin breakdown.

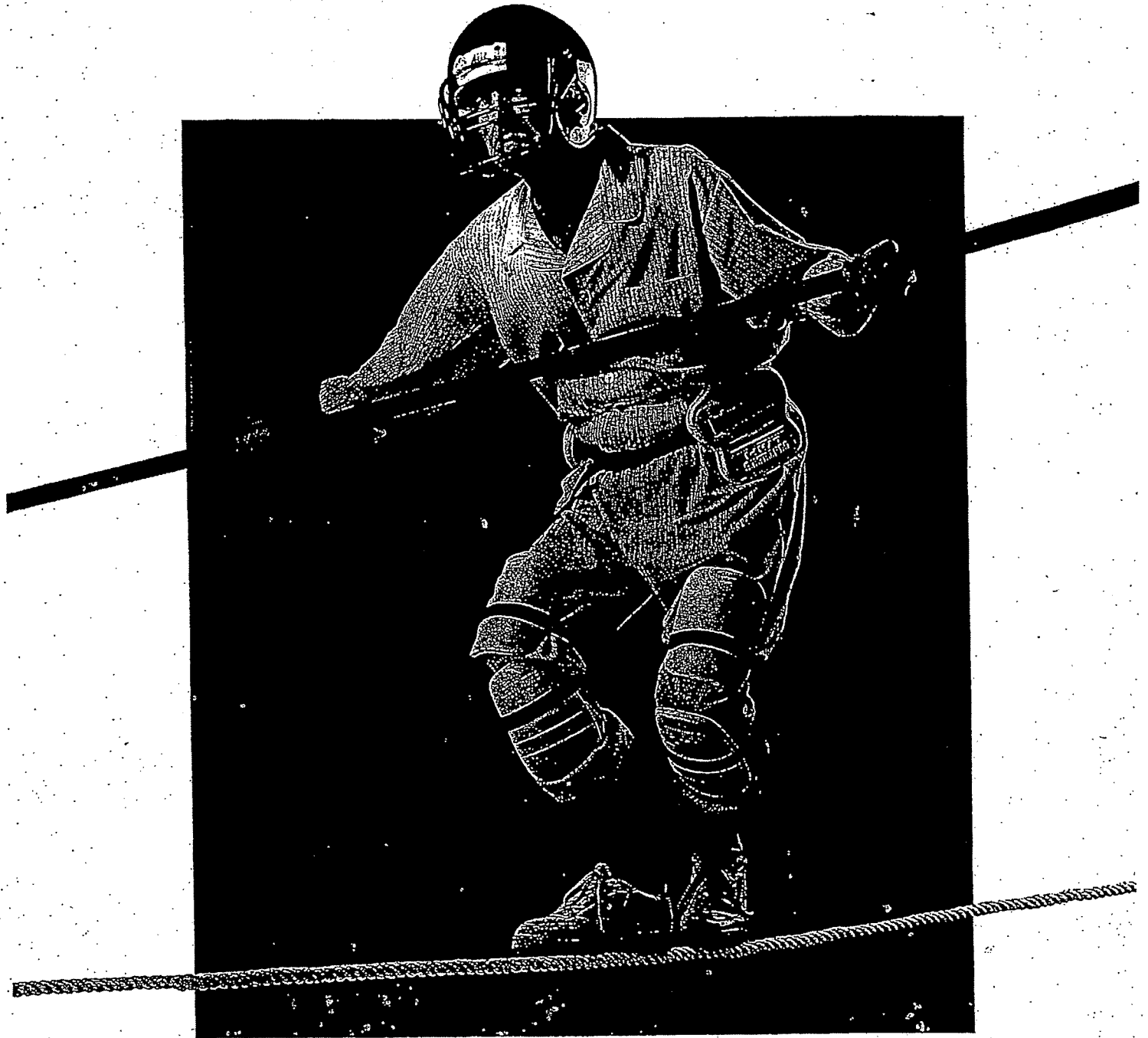
Posey Hipsters contain foam pads that are sealed in a pouch to protect it from water. If the pouch is cut or the seal is broken during laundering, moisture will enter the pouch and may result in waterlogged foam. Waterlogged foam encased in the pouch may promote the growth of bacteria.

- Test the foam and pouch integrity by squeezing the pad in one fist, forcing the air to one end, resulting in an air bubble.
- If you hear or feel liquid or air escaping, the pouch is damaged.
- If the pouch is damaged, discontinue use and discard.

PC 1052

EXHIBIT 30

For Some Residents, Every Fall is a Big One



Posey®

FIRST IN
FALL MANAGEMENT

PC 1093

Posey Hipsters Help Protect Against Injury From Falls



It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

- High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shell products
- Washable to CDC guidelines for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing



Posey Hipsters innerwear fit discretely under men's and women's clothing, as shown by these models who are wearing Standard Hipsters Briefs.



Now, Posey Hipster Pads are available in two models!

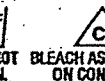
All Posey Hipsters can be washed according to CDC guidelines for healthcare facilities. Hipsters with high durability pads are designed to withstand laundering in large capacity machines at higher temperature hot 180°F (82°C) washing and high temperature drying cycles. Standard Hipsters will wash at 120°F (50°C) and dry at medium temperatures. The complete Guidelines for Laundry in Health Care facilities are available at: www.cdc.gov/od/ohs/biosfty/laundry.htm. The CDC states that "the risk of actual disease transmission from soiled linen is negligible" and "recent studies have shown that a satisfactory reduction of microbial contamination can be achieved at lower water temperatures of 72°-122°F (22°-50°C) when the cycling of the washer, the wash formula, and the amount of chlorine bleach are carefully monitored and controlled." CDC offers the following advice for home care, "In the home, normal washing and drying cycles including 'hot' or 'cold' cycles are adequate to ensure patient safety. Manufacturers instructions for the machine and the detergent or wash additive should be followed closely." Lower wash/dry temperatures will prolong garment life.

LAUNDERING INSTRUCTIONS:

Hipsters



High Durability Hipsters



Posey High Durability Hipsters contain denser foam than the standard Hipsters. This increased density aids in its ability to withstand higher hot washing and drying cycles.

www.cdc.gov/ncidod/hip/Sterile/laundry.htm

Special offer: 30-day no-risk free trial.
Test the Posey Hipsters for yourself with no obligation to buy.

PC 1094

POSEY HIPSTERS INNERWEAR



#6016 STANDARD BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Unisex sizing.
- #6016H Standard Brief with High Durability Pads.



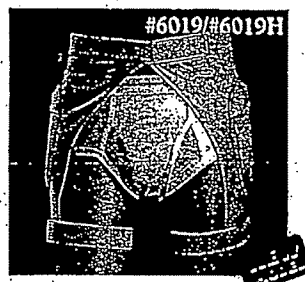
#6017 INCONTINENT BRIEF

- Snap front for easier application over diaper. Unisex sizing.
- #6017H Incontinent Brief with High Durability Pads.



#6018 MALE FLY BRIEF

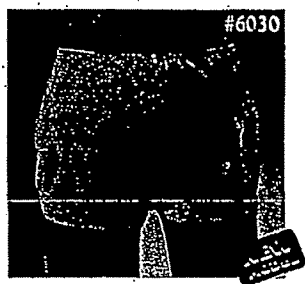
- Easily fits over undergarments, or can be worn as underwear.
- Fly front for improved compliance in male residents.
- #6018H Male Fly Brief with High Durability Pads.



#6019 EZ-ON BRIEF

- Residents can wear their own undergarments.
- Can be worn in the shower.
- Hip pads can be removed for laundering or replacement.
- #6019H EZ-ON Brief with High Durability Pads.

Posey Community Hipsters



#6030 LADIES PANTIES

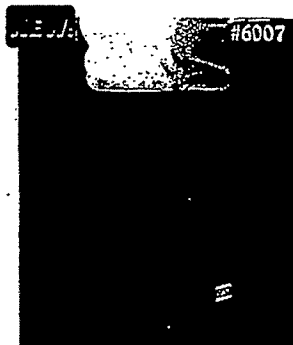
- Same look as regular day-to-day panties.
- Ladies model is made of soft pink cotton blend material and decorative pink lace with a small rose detail.
- Reinforced panty line.
- Latex free.



#6031 MEN'S FLY BRIEF

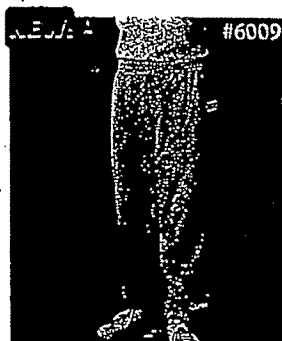
- Designed to mirror men's regular briefs.
- Men's model is made of soft gray cotton blend material.
- Latex free.

POSEY HIPSTERS OUTERWEAR



#6007 SHORTS

- Soft, preshrunk polyester/cotton blend garment.
- Soft, inner lining holds High Durability Pads in place.
- Available in Ash Gray or Navy Blue.



#6009 SWEATPANTS

- Soft, preshrunk polyester/cotton blend garment.
- Ankle zippers provide added comfort to swollen feet and ankles.
- Soft, inner lining holds High Durability Pads in place.
- Available in Ash Gray or Navy Blue.

SIZING CHART					
Size	Waist Measurement			Hip Measurement	
XS	26" - 28"	or	66 - 71cm	33" - 35"	or 83 - 88cm
S	28" - 30"	or	71 - 76cm	35" - 37"	or 89 - 94cm
M	30" - 34"	or	76 - 86cm	37" - 41"	or 94 - 104cm
L	34" - 38"	or	86 - 96cm	41" - 45"	or 104 - 114cm
XL	38" - 42"	or	96 - 106cm	45" - 49"	or 114 - 124cm
XXL	42" - 46"	or	106 - 116cm	49" - 53"	or 124 - 134cm

Note: Sweatpants and Shorts are available in sizes X-Small - X-Large only.

PC 1095



Posey®

J.T. Posey Company • 5635 Peck Road, Arcadia, CA 91006-0020 USA
Phone: 800-447-6739 • Fax: 800-767-3933 • Web: www.posey.com

9/2/05

Clinical References Supporting the Use of Hip Protectors

Title: External Hip Protectors to Prevent Osteoporotic Hip Fractures
Author: A. Ekman, H. Mallmin, K. Michaëlsson, S. Ljunghall
Publication: The Lancet, volume 350, August 23, 1997

Study Objectives: Ekman and colleagues conducted a controlled study on the use of hip protection to prevent hip fractures. One expectation was to either confirm or disprove the 1993 reported findings of J.B. Lauritzen and colleagues in "Effect of external hip protectors on hip fractures."

Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."

Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

Title: Prevention Of Hip Fracture in Elderly People
Author: Pekka Kannus, M.D., Ph.D., et al
Publication: The New England Journal of Medicine, Vol. 343, No. 21, November 21, 2000

Study Objectives: The purpose of this study was "to determine whether an external hip protector would be effective in preventing hip fractures among elderly adults." The study population was comprised of elderly adults from 22 community based health-care centers in Finland; a treatment group of 653 and a control group of 1,148 participants.

Results: The degree of compliance with the hip protector was $48 \pm 29\%$. The hip protector group suffered 13 hip fractures, 9 of which occurred while not wearing the hip protector, compared to 67 hip fractures in the control group.

Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protectors for one year for 8 persons to have one fracture prevented."

NOTE: Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma.

Please detach and fax to 1-626-443-5014, or call us at 1-800-44-POSEY to start your trial

yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.

Name _____
 Title _____
 Facility _____
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ Best time to call _____ am _____ pm
 Email _____



PC 1096



Posey

Fax or mail to: Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Arcadia, CA 91006-0020 USA
 Fax 626-443-5014
 www.posey.com

EXHIBIT 31

Clinical References Supporting the Use of Hip Protectors

Title: External Hip Protectors to Prevent Osteoporotic Hip Fractures
Author: A. Ekman, H. Mallmin, K. Michaelsson, S. Ljunghall
Publication: The Lancet, volume 350, August 23, 1997
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Results: The use of hip protectors as preventative treatment for hip fractures was validated. "Our study confirms a reduced risk for hip fractures of the same magnitude as the previous report."
Recommendations: "With improved compliance, external hip protectors should be an effective prophylactic against hip fractures."

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Recommendations: "We conclude that the risk of hip fractures can be reduced in frail elderly adults through the use of an anatomically designed external hip protector. Only 41 persons need to use the hip protectors for one year (or 8 persons, for five years) in order for one fracture to be prevented."

Posey Hipsters can be washed according to CDC guidelines for soiled linen. Hipsters with high durability pads are designed to withstand laundering in large capacity machines at higher temperature hot (180°) washing and high temperature drying cycles.

Due to the random possibility of falls, the Posey Company makes no guarantee, express or implied, that the user is protected from hip trauma.


Please detach and fax to 1-800-443-5014, or call us at 1-800-44-POSEY to start your trial



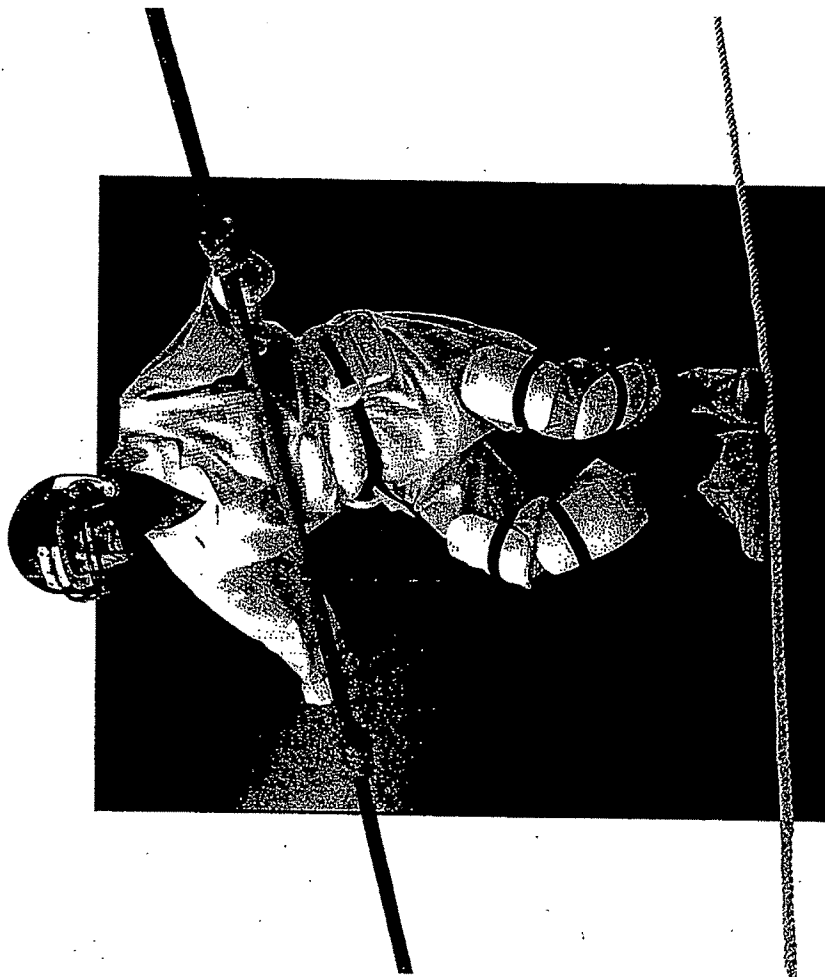
yes!

I want to take advantage of your 30-day trial offer. Please have a representative call me to discuss Posey Hipsters.

Name _____
 Title _____
 Institution _____
 Address _____
 City _____ State _____ Zip _____
 Telephone () _____ Best time to call am pm

Fax or mail to:

 J.T. Posey Company
 Attn: Marketing Dept.
 5635 Peck Road
 Aradale, CA 91006-0020 USA
 Fax 626-443-5014
 www.posey.com
 ME076 050005

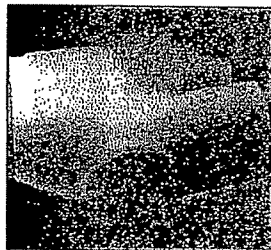
FOR SOME RESIDENTS, EVERY FALL IS A BIG ONE



 **Posey**
 FIRST IN FALL PREVENTION

PC 0400

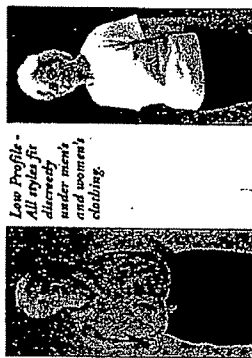
POSEY HIPSTERS HELP PROTECT AGAINST INJURY FROM FALLS



- High impact-absorbing viscoelastic pads protect hip bones against injury from falls
- Soft, comfortable pads improve compliance versus hard-shelled products
- Washable to CDC standards for soiled linen without removing the pads
- 100% latex-free
- Five sizes for correct fit
- Discreet, low-profile pads are virtually undetectable under clothing

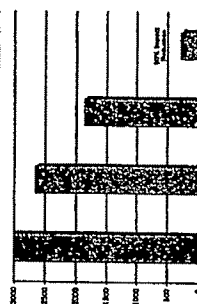
It's a long way down for residents at risk of injury from falls. You can greatly reduce that risk with Posey Hipsters. The Hipsters' high energy-absorbing foam pads are positioned precisely over the hip bones, increasing the odds of surviving a fall uninjured. The Hipsters are comfortable and slim enough to be virtually undetectable under clothing. By offering increased protection, Hipsters relieve residents' anxiety about falling and enhance their quality of life.

Low Profile -
All styles fit
discreetly
under men's
and women's
clothing.



Posey Hipsters Proven Effective in Laboratory Test

Posey engaged Garwood Laboratories to conduct testing to select a comfortable and effective impact absorbing material. A test was created that would simulate a fall causing direct impact to the greater mechanics. In this study, a weight was released in a guided drop to simulate a 120 lb. subject falling from a height of 36" or the estimated height of the hip above the floor for a typical nursing home resident. The hysteresis measurement of impact force was determined to be a fall directly onto concrete. The G-force of a fall under this scenario was 2.660G's and, for purposes of comparison, is just slightly less impact force than that of a baseball being struck by a bat. In this extreme test, the low profile Posey Hipster reduced the impact force on average by 90% and showed excellent impact energy absorption.



Testing was conducted by Garwood Laboratories.
Data on file at J.T. Posey Company. Source: www.posey.com

Special offer: 30-day no-risk free trial.

Test the Posey Hipsters for yourself with no obligation to buy.

POSEY #6016 HIPSTERS STANDARD BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Unisex sizing.
- #6016H Standard Brief with high durability pads.



POSEY #6017 INCONTINENT BRIEF

- Snap front for easier application over diaper. Unisex sizing.
- #6017H Incontinent Brief with high durability pads.



POSEY #6018 MALE FLY BRIEF

- Easily fits over undergarments, or can be worn as underwear.
- Fly front for improved compliance in male residents.
- #6018H Male Fly Brief with high durability pads.



POSEY #6019 EZ-ON BRIEF

- Residents can wear their own undergarments.
- Can be worn in the shower.
- Hip pads can be removed for laundering or replacement.
- #6019H EZ-ON Brief with high durability pad.



Size	Waist Measurement	Hip Measurement
S	28" - 30" or 71 - 76cm	35" - 37" or 88 - 93cm
M	30" - 34" or 76 - 86cm	37" - 41" or 93 - 104cm
L	34" - 38" or 86 - 96cm	41" - 45" or 104 - 114cm
XL	38" - 42" or 96 - 106cm	45" - 49" or 114 - 124cm
XXL	42" - 46" or 106 - 116cm	49" - 53" or 124 - 134cm

Posey High Durability Hipsters contain denser foam than the standard Hipsters. This increased density aids in its ability to withstand higher hot washing and drying cycles.

LAUNDERING INSTRUCTIONS:

Hipsters	WASH HOT	BLEACH AS DIRECTED	DRY ON MEDIUM
High Durability Hipsters	WASH HOT	BLEACH AS DIRECTED	DRY ON MEDIUM



J T Posey Company
Arcadia, CA 91006 USA
Tel: 800-447-6739
www.posey.com

PC 0401

EXHIBIT B, PART 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-11294-PBS

HIPSAVER COMPANY, INC.,

Plaintiff,

v.

J.T. POSEY COMPANY,

Defendant.

DOCKET

DECLARATION OF JOHN ROSS FRYMARK

I, John Ross Frymark, declare:

1. I am Vice-President of Marketing for J.T. Posey Company ("Posey"). I have held this position at Posey since April 2002. I was previously employed by Posey from July 1999 through February 2000 as Vice-President of Sales and Marketing, and I served as a consultant to Posey between October 2001 and April 2002. Between February 2000 and October 2001, I worked for a different company and/or was self-employed. The facts recited in this declaration are within my personal knowledge and if called as a witness I could and would testify thereto.
2. My responsibilities at Posey include, among other things, developing and executing marketing plans and goals, and planning and overseeing advertising and promotional activities.
3. In approximately June 2002, Vicky Lewis, who is a Product Manager for Posey, told me that she had been contacted by Eimal P. Gardhi, a

graduate student at UCLA. Ms. Lewis told me that Mr. Gandhi wanted to do a master's thesis in which he would conduct scientific tests of hip protector products to test their force attenuation, and that Mr. Gandhi had asked for assistance from Posey in this endeavor.

4. Mr. Gandhi's idea of testing hip protector products seemed to be a good opportunity to evaluate the effectiveness of hip protectors from various sources. I discussed this idea with Ms. Lewis and with Ernest Posey, who is Posey's chief executive officer.
5. In July or August 2002, I spoke with Dr. Vijay Gupta, the UCLA professor who supervised Mr. Gandhi's project. Dr. Gupta explained that Mr. Gandhi intended to conduct experimental laboratory tests, which required developing special equipment. Dr. Gupta asked for Posey to sponsor the research project through the contribution of funds. Dr. Gupta mentioned three ways that Posey could support the project: (1) Posey could make a grant for a specific purpose; (2) Posey could make an outright gift; or (3) Posey could arrange for a consultancy relationship with Dr. Gupta.
6. On August 9, 2002 there was a meeting at UCLA, attended by myself, Ms. Lewis, Dr. Gupta and Mr. Gandhi. This was the first of two meetings at UCLA that I attended. At that meeting, Dr. Gupta and Mr. Gandhi outlined the basic ideas for the testing, described some of the equipment that would be needed, and estimated some of the costs. Dr. Gupta asked whether Posey would be willing to contribute sufficient funds to cover the costs of the equipment. I stated that Posey would consider it.
7. In September 2002, we decided to contribute funds in the form of an outright gift to UCLA's Engineering Department. We understood that

the purpose of the gift was to allow graduate student research of hip protector devices under the supervision of Dr. Gupta, to establish a test protocol, build a test bed, and test various product devices to determine effectiveness. This outright gift was the only funding Posey ever gave to Dr. Gupta or UCLA. Posey never contributed any other funds of any kind directly or indirectly to Dr. Gupta, Mr. Gandhi or UCLA.

8. The statement made by Mr. Goodwin that Mr. Gandhi had been "retained" by Posey is incorrect. Posey never retained Mr. Gandhi. Posey never paid any money to Mr. Gandhi.
9. Posey did not at any time directly or indirectly participate in the development of the test protocol or any methodology of testing the devices or interpretation of the test results. These matters were entirely in the hands of Dr. Gupta and Mr. Gandhi.
10. At the request of Mr. Gandhi, Ms. Lewis obtained various product samples of hip protectors. The sample products were: (1) Posey Hipster; (2) SafeHip; (3) Fall Guard; (4) HipSaver Nursing Home model and (5) HipSaver SlimFit model. Ms. Lewis mistakenly referred to the HipSaver SlimFit model as a "Slimsaver," and in documents ultimately authored by Mr. Gandhi the correct name of the product referred to as the "Hipsaver Slimsaver" is the HipSaver SlimFit.
11. The second meeting at UCLA took place on February 19, 2003. That meeting was attended by Dr. Gupta, Mr. Gandhi, Ms. Lewis, myself, and Ernest Posey. At that meeting, they told us that the Posey Hipster had outperformed all products that they tested. During this meeting, we learned that Mr. Gandhi had tested the foam pads that are used in the various products. We requested that they also test the pads contained in their pouches. Dr. Gupta stated he did not think it would make any

difference in the testing whether the pads were tested within the pouches or outside the pouches because he said "the air could not be displaced fast enough to affect the impact time."

12. Despite the fact that Dr. Gupta said he did not think it would make any difference, we requested that they test the pads in their pouches. They agreed that they would do so.
13. At that meeting, we discussed with Dr. Gupta the idea of having a "White Paper" which would summarize the results of Mr. Gandhi's experiments. Dr. Gupta agreed that a White Paper would be provided to Posey.
14. No one at Posey ever told Dr. Gupta or Mr. Gandhi what information to include in or exclude from the White Paper. That was entirely up to Dr. Gupta and Mr. Gandhi. Our only concern was that the White Paper be accurate and that it be reasonably brief so that it could be read and understood by potential customers of Posey.
15. After the February 19, 2003 meeting, Ms. Lewis obtained some additional samples for Mr. Gandhi to test in the pouches. These included four different types of foam that were used or potentially could be used in the Posey products, and additional samples of the HipSaver Nursing Home model and the HipSaver SlimFit model.
16. We received the final version of the White Paper from Mr. Gandhi in October 2003. I have always believed that Mr. Gandhi had accurately summarized the results of his testing in the White Paper. Neither I nor anyone at Posey ever asked Mr. Gandhi to include any specific information in the White Paper or to exclude anything from the White Paper. We never told him what conclusions to reach or how to express his conclusions. We never told him how to establish his test protocol.

EXHIBIT B, PART 2

what type of equipment to use, how to conduct the tests, or how to interpret the test results.

17. The only thing we ever requested was that the foam pads be tested inside their pouches. It was and is my understanding that Mr. Gandhi's conclusions stated in the White Paper included his testing of the pads within the pouches. My understanding was supported by Dr. Gupta's statements that there should be no difference in the comparative results whether the pads were tested in the pouch or out of the pouch.
18. Posey did not ever make any substantive changes to the White Paper. One of the marketing editors at Posey made some editing changes, such as formatting and grammatical changes, changing syntax and the like, which were approved by Mr. Gandhi. Other than those types of changes, Posey had no input whatsoever in the content of the White Paper.
19. I and everyone involved at Posey have always believed that Mr. Gandhi and Dr. Gupta conducted appropriate tests of the hip protectors that were supplied to them, and that the conclusions stated by Mr. Gandhi in the White Paper are accurate and reliable.
20. Since this lawsuit was filed, I have spoken with Dr. Gupta and Mr. Gandhi. Neither Dr. Gupta nor Mr. Gandhi ever said to me that anything in the testing methodology or interpretation of the results as expressed by Mr. Gandhi in his thesis and in the White Paper is in any way inaccurate or unreliable.
21. One question raised by HipSaver was why did the White Paper not mention the results of testing of the SafeHip product. The explanation for that, according to both Dr. Gupta and Mr. Gandhi, is that the SafeHip product has a hard plastic shell, whereas the Posey and

HipSaver products use a soft foam pad. Consequently, Mr. Gandhi felt that the SafeHip product is not comparable to or competitive with the Posey and HipSaver products, and therefore, he did not include it in the comparisons discussed in the White Paper. On the other hand, according to Dr. Gupta and Mr. Gandhi, the Fall Guard product was included in the White Paper because it is a hybrid, that is, it has both a hard plastic shell and a foam pad.

22. I understand that Mr. Goodwin and The HipSaver Company have accused Posey and Mr. Gandhi of manipulating or falsifying data from Mr. Gandhi's experiments. Those accusations are absolutely incorrect. It was always the intention of myself and everyone at Posey that the testing performed by Mr. Gandhi would be appropriate, accurate, and reliable. I also understand that the methodology employed by Mr. Gandhi has been criticized. Neither I nor anyone at Posey had anything to do with the methodology employed by Mr. Gandhi.
23. Dr. Gupta also said that he had been contacted several times by Edward Goodwin from HipSaver. Among other things, Dr. Gupta explained that Mr. Goodwin wanted to know whether the foam pads from the products were tested in their pouches or not. Dr. Gupta explained that he first told Mr. Goodwin that the pads were tested outside the pouches. Later, however, Dr. Gupta learned from discussing the matter with Mr. Gandhi that indeed Mr. Gandhi had also tested the pads inside the pouches. Dr. Gupta said he telephoned Mr. Goodwin and left a voice message for Mr. Goodwin stating that the pads had also been tested inside the pouches and that the Posey product performed better than the HipSaver product when tested inside the pouches. Dr. Gupta said that Mr. Goodwin did not return the call.

24. I understand that Mr. Goodwin and The HipSaver Company accused Mr. Gandhi of falsely claiming to have included two HipSaver protectors in his testing. Mr. Gandhi told me that he had received email correspondence from Mr. Goodwin, dated January 22, 2004, from Mr. Goodwin to Mr. Gandhi that states:

"we have a model called the SlimFit HipSaver. Is the product listed as Slimsaver a SlimFit or is it the product of another manufacturer other than HipSaver?"

Mr. Gandhi's reply email to Mr. Goodwin dated January 26, 2004 states:

"Yes, the product listed as Slimsaver is the Hipsaver Slimfit model."

Attached hereto as Exhibit A is a true and correct copy of that email correspondence.

25. On June 18, 2004, at the direction of Ernest Posey, I instructed all independent sales representatives of Posey Hipsters to discontinue use of the White Paper, and to discontinue use of advertising or promotional materials that refer to information contained in the White Paper pending further investigation.

26. HipSaver's website, www.hipsaver.com, contains several comparative advertisements directed at Posey, which are false. For example, HipSaver's website states:

- a. "Only HipSaver can be laundered according to the CDC (Center for Disease Control) Guidelines for laundry." But Posey's Hipster can also be laundered according to the CDC Guidelines for laundry.
- b. "Posey@Hipsters unish care instructions: Up to a maximum of 160°F (CDC guideline suggested minimum)." This statement is incorrect.

Posey's wash care instructions for the Hipster state: "Posey Hipsters may be washed according to CDC standards" with wash symbols noting the same.

27. The table listed in HipSaver's website also inaccurately represents that Posey does not have adaptive models to meet varied patients' needs. Posey's Hipster is available to customers in a variety of models including the Standard Brief to be worn as unisex underwear, E-Z-ON Model ideal for showering or over an undergarment, Incontinent Brief for use over adult diapers, and Male Fly Brief for simplification of male toileting.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 21st day of July, 2004 at Arcadia, California


John Ross Frymark

EXHIBIT 'A'

From: "HipSaver." <hipsavers@msn.com>  Show full message header

To: bgandhi@ucla.edu

Printer-Friendly Version

Date: Thu, 22 Jan 2004 10:51:34 -0500

Subject: Hip protector tests

Hello Mr. Gandhi,

I see that you have done biomechanical tests on hip protectors. Your graph caption lists the product of my company: HipSaver, but we have no record or knowledge of sending you a sample. Could you please tell me where you got the sample listed as HipSaver? Also we have a model called SlimFit HipSaver. Is the product listed as Slimsaver a Slimfit or is that the product of another manufacturer other than HipSaver? Thanks for your help ---Ed

Edward L. Goodwin
President
HipSaver
7 Hubbard Street
Canton, MA 02021
Toll Free in US: 1-800-358-4477
781-828-3880
Fax: 781-821-6514

<http://www.hipsavers.com/>

*** The User Friendly Hip Protector
incorporating the dual mechanism airPad ***

> >From: "Bimal Gandhi" <bgandhi@ucla.edu>
> >To: "'Hipsaver'" <hipsavers@msn.com>
> >Subject: RE: Hip protector tests
> >Date: Mon, 26 Jan 2004 12:56:42 -0800
> >
> >Hello Mr. Goodwin,
> >
> >Sorry I did not return your email sooner, I rarely check this
account
> >anymore. The Hipsaver samples used in my vitro biomechanical were
> >purchased from:
> >
> >A&M Homecare Medical Supply
> >617 W. Huntington Dr.
> >Monrovia, CA
> >
> >Yes, the product listed as Slimsaver is the Hipsaver Slimfit model.
> >
> >Have a nice day,
> >
> >Bimal Gandhi

EXHIBIT C

UNITED STATES DISTRICT COURT
FOR THE STATE OF MASSACHUSETTS

THE HIP SAVER COMPANY, INC.,)

PLAINTIFF,)

VS.)

J.T. POSEY COMPANY,)

DEFENDANT.)

NO. 05-10917 PBS

J.T. POSEY COMPANY, INC.,)

COUNTERCLAIM PLAINTIFF,)

VS.)

THE HIP SAVER COMPANY, INC.; AND)
EDWARD L. GOODWIN,)

COUNTERCLAIM DEFENDANTS.)

CONFIDENTIAL

**CERTIFIED
COPY**

DEPOSITION OF VICTORIA LEWIS

CERRITOS, CALIFORNIA

THURSDAY, DECEMBER 15, 2005

REPORTED BY:

DENISE HERFT
CSR NO. 12983

JOB NO.:
A0413NCV

Kennedy

COURT REPORTERS, INC.

(800) 231-2682

MAILING ADDRESS

Orange County
920 W. 17th Street, Second Floor
Santa Ana, CA 92706

Los Angeles
523 West Sixth Street
Los Angeles, CA 90014

Central Coast
1610 Oak Street
Solvang, CA 93463

UNITED STATES DISTRICT COURT
FOR THE STATE OF MASSACHUSETTS

THE HIP SAVER COMPANY, INC.,)
)
 PLAINTIFF,)
)
 VS.) NO. 05-10917 PBS
 J.T. POSEY COMPANY,)
)
 DEFENDANT.)
)
 J.T. POSEY COMPANY, INC.,)
)
 COUNTERCLAIM PLAINTIFF,)
)
 VS.)
)
 THE HIP SAVER COMPANY, INC.; AND)
 EDWARD L. GOODWIN,)
)
 COUNTERCLAIM DEFENDANTS.)
)

DEPOSITION OF VICTORIA LEWIS,
TAKEN ON BEHALF OF THE PLAINTIFF, AT,
17871 PARK PLAZA DRIVE, SUITE 200,
CERRITOS, CALIFORNIA, COMMENCING AT
2:06 P.M., ON THURSDAY, DECEMBER 15, 2005,
REPORTED BY DENISE HERFT, CSR NO. 12983, A
CERTIFIED SHORTHAND REPORTER IN AND FOR
THE STATE OF CALIFORNIA, PURSUANT TO NOTICE.

APPEARANCES:

FOR THE PLAINTIFF/
COUNTERCLAIM DEFENDANT:

LAW OFFICES OF
BROMBERG & SUNSTEIN
BY: EDWARD J. DAILEY
125 SUMMER STREET
BOSTON, MASSACHUSETTS
02210-1618

FOR THE DEFENDANT/
COUNTERCLAIM PLAINTIFF:

LAW OFFICES OF
SHELDON & MAK
BY: DOUGLAS H. MORSEBURG
225 SOUTH LAKE AVENUE
SUITE 900
PASADENA, CALIFORNIA
91101

THE VIDEOGRAPHER:

NANCY HOTALING

ALSO PRESENT:

ERNEST POSEY

1 MR. MORSEBURG: OBJECT; VAGUE AND AMBIGUOUS.

2 BY MR. DAILEY:

3 Q IF YOU UNDERSTAND THE QUESTION.

4 A WHAT DO YOU MEAN BY "INFORM"?

5 Q THE TWO PRODUCTS LOOK ALIKE; IS THAT A FAIR
6 STATEMENT?

7 A YES.

8 Q 86 AND 87; HOW IS AN INSTITUTION ABLE TO
9 DISTINGUISH WHICH PRODUCT TO PURCHASE?

10 A THAT'S UP TO THE INSTITUTION TO DECIDE.

11 Q DO YOU -- DOES YOUR COMPANY GIVE THE
12 INSTITUTION ANY INFORMATION?

13 A WE GIVE THEM OUR CATALOG WITH THE PRODUCT
14 INFORMATION IN IT.

15 Q DO YOU GIVE THEM ANY OTHER INFORMATION?

16 A I DON'T KNOW. I DON'T SELL. I'M NOT ON THE
17 SALES TEAM. I DON'T KNOW.

18 Q THAT'S FAIR ENOUGH. BUT YOUR TESTIMONY IS, I
19 GATHER, THAT AS FAR AS YOU KNOW YOUR COMPANY SELLS BOTH
20 EXHIBIT 86, THAT PRODUCT, AND THE PRODUCT THAT'S
21 EXHIBIT 87 TO INSTITUTIONS; IS THAT CORRECT?

22 A YES.

23 Q AND DO YOU KNOW OF ANY INFORMATION OTHER THAN
24 WHAT IS IN THE CATALOG THAT WOULD DISTINGUISH ONE PRODUCT
25 FROM THE OTHER?

1 A I'M SORRY. CAN YOU REPEAT THAT?

2 Q DO YOU KNOW OF ANY INFORMATION OTHER THAN WHAT
3 IS IN THE CATALOG -- THAT IS, YOUR COMPANY SALES
4 CATALOG -- THAT WOULD DISTINGUISH THE PRODUCT THAT IS
5 MARKED EXHIBIT 86 FROM THAT WHICH IS MARKED EXHIBIT 87?

6 A THE PRODUCT LABEL.

7 Q AND WHAT LABEL ARE YOU REFERRING TO?

8 A WITH THE CATALOG NUMBER ON IT.

9 Q OKAY.

10 A ONE IS LABELED "HIGH-DURABILITY" AND THE OTHER
11 IS NOT.

12 Q OKAY. BUT YOU DON'T KNOW WHAT THE DIFFERENCE
13 IS BETWEEN HIGH-DURABILITY AND THE OTHER; IS THAT CORRECT?

14 MR. MORSEBURG: OBJECT; MISSTATES HER TESTIMONY.
15 BY MR. DAILEY:

16 Q DO YOU KNOW THE DIFFERENCE?

17 A I BELIEVE I ANSWERED THAT ALREADY.

18 Q OKAY. AND WHAT ARE THOSE DIFFERENCES, IF ANY?

19 A THAT THE PRODUCT LABELED AS HIGH-DURABILITY
20 WAS DESIGNED TO BE A MORE DURABLE PRODUCT.

21 Q SO THAT WAS THE LITANY YOU GAVE ME BEFORE; IS
22 THAT CORRECT?

23 A CORRECT.

24 Q OKAY. FINE.

25 I'M GOING TO ASK THAT ONE MORE PHYSICAL

STATE OF CALIFORNIA)
)
COUNTY OF)

I AM THE WITNESS IN THE FOREGOING DEPOSITION.
I HAVE READ THE FOREGOING DEPOSITION AND HAVING MADE
CHANGES AND CORRECTIONS AS I DESIRE, I CERTIFY THAT THE
SAME IS TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO THOSE
MATTERS WHICH ARE THEREIN STATED UPON MY INFORMATION OR
BELIEF, AND AS TO THOSE MATTERS, I BELIEVE IT TO BE TRUE.

I DECLARE UNDER PENALTY OF PERJURY THAT THE
FOREGOING IS TRUE AND CORRECT.

EXECUTED ON _____
AT _____, CALIFORNIA.

VICTORIA LEWIS

REPORTER'S CERTIFICATE


I, LORI ODELL KENNEDY, CSR NO. 3320,
PRESIDENT OF KENNEDY COURT REPORTERS, INC., DO HEREBY
CERTIFY:

THAT THE FOREGOING DEPOSITION WAS TAKEN
BEFORE DENISE HERFT ON THURSDAY, DECEMBER 15, 2005,
AT THE TIME AND PLACE SET FORTH, AND WAS TAKEN DOWN BY
HIM/HER IN SHORTHAND, AND THEREAFTER TRANSCRIBED INTO
TYPEWRITING UNDER MY DIRECTION AND SUPERVISION.

AND I HEREBY CERTIFY THAT THE FOREGOING
DEPOSITION IS A FULL, TRUE AND CORRECT TRANSCRIPT OF
HIS/HER SHORTHAND NOTES SO TAKEN, TO THE BEST OF OUR
ABILITY.

I CERTIFY THAT I AM NEITHER COUNSEL FOR NOR
RELATED TO ANY PARTY IN SAID ACTION, NOR IN ANYWISE
INTERESTED IN THE OUTCOME THEREOF.

IN WITNESS WHEREOF, I HAVE HEREUNTO
SUBSCRIBED MY NAME THIS 3RD DAY OF JANUARY,
20 06.


LORI ODELL KENNEDY, CSR NO. 3320
CERTIFIED SHORTHAND REPORTER
FOR THE STATE OF CALIFORNIA